



ORDINARY MEETING OF COUNCIL
MINUTES

28 JUNE 2016

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CITY OF GREATER GERALDTON
ORDINARY MEETING OF COUNCIL
HELD ON TUESDAY, 28 JUNE 2016 AT 5.00PM
CHAMBERS, CATHEDRAL AVENUE

MINUTES

DISCLAIMER:

The Chairman advises that the purpose of this Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting. Persons should be aware that the provisions of the Local Government Act 1995 (Section 5.25(e)) and Council's Standing Orders Local Laws establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person. The City of Greater Geraldton expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.

1 DECLARATION OF OPENING

The Presiding Member declared the meeting open at 5pm.

2 ACKNOWLEDGEMENT OF COUNTRY

I would like to respectfully acknowledge the Yamaji people who are the Traditional Owners and First People of the land on which we meet/stand. I would like to pay my respects to the Elders past, present and future for they hold the memories, the traditions, the culture and hopes of the Yamaji people.

3 ATTENDANCE

Present:

Mayor S Van Styn
Cr G Bylund
Cr D J Caudwell
Cr N Colliver
Cr J Critch
Cr S Douglas
Cr L Graham
Cr L Freer
Cr R D Hall
Cr M Reymond
Cr N McIlwaine
Cr V Tanti
Cr T Thomas
Cr R Ellis

Officers:

K Diehm, Chief Executive Officer
P Melling, Director of Development & Community Services
B Davis, Director of Corporate and Commercial Services
R McKim, Director of Infrastructure Services
S Moulds, PA to the Chief Executive Officer
S Smith, Manager Libraries and Heritage Services
M DuFour, Acting Manager Engineering Services
J Kopplhuber, Coordinator Communications and Engagement

Others:

Members of Public: 3
Members of Press: 1

Apologies:

Cr S Keemink

Leave of Absence:

Nil.

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5 PUBLIC QUESTION TIME

Questions provided in writing prior to the meeting or at the meeting will receive a formal response. Please note that you cannot make statements in Public Question Time and such statements will not be recorded in the Minutes.

Our Local Laws and the Local Government Act require questions to be put to the presiding member and answered by the Council. No questions can be put to individual Councillors.

Public Question Time Commenced at 5.01pm

Jerry Clune, 1853 Gtn –Mt.Magnet Road, Bringoo

Question relates to DCS288 Lease – Towns Football Club Geraldton INC. and the Geraldton Squash Rackets Association (INC)

Question

Why weren't the financial facts included in the background briefing details of the above motion? Mr Clune made Councillors aware of the Council Minutes of March 2009 when the lease was renegotiated, and advised that the debt repayment from the building by the Football Club was paid 10 years ahead when they were continuing the lease payments, and the City earned in excess of \$180,000 profit from the lease payments.

Response

In the background section of the report, details have been included of the previous lease arrangements with the Towns Football Club, including the

financial arrangements previously in place. The debt was finalised in 1999, with the matter being resolved formally in March 2009. Up until the present day the City has been responsible for the maintenance of the building including a number of upgrades over a sustained period so the “earnings” referred to are offset by these City’s costs.

Max Correy, PO Box 202, Geraldton WA 6530

Question

With respect to the \$9M the Federal Government is asking the Council to return can I ask:

Was the agreement a conditional agreement where-by certain conditions had to be met prior to the expenditure of the \$9M?

If so, what specifically were these conditions?

Were the/those conditions met?

Response

The agreement was conditional on a series of milestones that required expenditure of the funds received to be made on key infrastructure that facilitated future subdivision, these works and milestones have been achieved.

At issue, is the final milestone that requires the completion of 400 residential lots by 1 December 2018. That milestone date is still in the future and the City has raised a concern with the Commonwealth Government that the 400 lot milestone may not be achieved by that date and has requested an extension to that milestone.

It should be noted that the Commonwealth Government has not asked the City for return of the \$9 million grant at this point in time given that the milestone date is still in the future.

Question

Have the Council spent the \$9M without the conditions being met?

Response

No.

Sean Hickey, PO Box 2966, Geraldton WA

With a brief overview of Geraldton's 2016/17 budget, I am left wondering how council are going to deal with it's very significant and growing coastal erosion problems?

I do see mention of the Beresford project, however I'm interested to understand what use council has made of the study looking at Geraldton's highly modified coastline, published in 2012 by Department of Transport WA. Amongst a number of concerns, I refer specifically here to Southgates and the continued erosion of Geraldton's northern beaches. Sunset Beach highlighting this problem, with a recorded decade or more of erosion approaching 1.5m per annum.

After reading a paper in Research Gate (www.researchgate.net/publications/284570210) by a number of Curtin University researchers (Tecchiato, Collins, Stevens and others), I am left to wonder how council has progressed its coastal policy, management strategies and projects?

These researchers concluded:

- Southgates dune, typical of WA coastline dunes are vitally important and feed the littoral northern drift of sand. Southgates feeds the southern sector of coast with
- Storage - offshore embayments and onshore dunes and beach - overall, the stability of the beach.
- Cross-shore and Longshore sediment transport is important but disrupted by the infrastructure in the Port and channel altered environment.
- Seagrass meadows generate up to 65% of sand for beaches - channel and other infrastructure has disturbed this function.
- In the words of a researcher "Important natural processes have been identified that support environmental management at Geraldton and other similar West Australian coastlines".

Question

What is Council's response to this conclusion?

Response

The City agrees with the conclusions identified from that Report, and conclusions from other Reports which are being taken in to consideration when we develop the Strategy for coastal management issues. The City is following the CHRMAP process, which is the coastal hazard risk management and adaptation planning process, which has been endorsed by both State and Federal Government, and is working closely with the Northern Agricultural Catchment Council. The specific actions being taken by Council will be addressed as part of that planning process.

Question

What is Councils response to the words expressed by the researcher 'Important natural processes have been identified that support environmental management at Geraldton and other similar West Australian coastlines'?

Response

The City agrees with that comment.

Public Question Time Concluded at 5.11pm

6 APPLICATIONS FOR LEAVE OF ABSENCE

Existing Approved Leave

Councillor	From	To (Inclusive)
Cr G Bylund	2 July 2016	17 July 2016
Cr N McIlwaine	7 July 2016	14 July 2016
Cr N McIlwaine	2 August 2016	6 August 2016
Cr G Bylund	18 August 2016	29 August 2016
Mayor S Van Styn	23 August 2016	23 August 2016
Cr M Reymond	1 September 2016	26 September 2016
Cr G Bylund	3 September 2016	10 September 2016
Cr J Critch	15 September	10 October 2016
Cr G Bylund	2 October 2016	9 October 2016

MOVED CR GRAHAM, SECONDED CR ELLIS

Cr L Freer requests leave of absence for the period 2 July 2016 to 3 July 2016 be approved.

Cr L Freer requests leave of absence for the period 1 August 2016 to 2 August 2016 be approved.

Cr L Freer requests leave of absence for the period 27 September 2016 to 28 September 2016 be approved.

Mayor S Van Styn requests leave of absence for the period 16 October 2016 to 27 October 2016 be approved.

Cr S Keemink requests leave of absence for the period 23 August 2016 to 1 September 2016.

CARRIED 14/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed.

7 PETITIONS, DEPUTATIONS OR PRESENTATIONS

Nil.

8 DECLARATIONS OF CONFLICTS OF INTEREST

Cr N Colliver declared an impartiality interest in item DCS288 Lease – Towns Football Club Inc. and the Geraldton Squash Rackets Association Inc. as she is a member of the Towns Football Club.

Cr S Douglas declared an impartiality interest in item IS127 Beresford Foreshore Amenity Community Workshop as his employer has been involved in the funding proposal for Royalties for Regions.

9 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING – as circulated

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 24 May 2016, as previously circulated, be adopted as a true and correct record of proceedings.

MOVED CR GRAHAM, SECONDED CR BYLUND

RECOMMENDED that the minutes of the Ordinary Meeting of Council held on 24 May 2016, as previously circulated, be adopted as a true and correct record of proceedings.

CARRIED 14/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed.

10 ANNOUNCEMENTS BY THE CHAIR*Events attended by the Mayor or his representative*

DATE	FUNCTION	REPRESENTATIVE
20 May 2016	Meeting with Marelle Ran Bunter – Wonthella Skate Park	Mayor Shane Van Styn
23 May 2016	Meeting with David Angwin	Mayor Shane Van Styn
24 May 2016	Teleconference – Regional Capitals Australia – Barnaby Joyce	Mayor Shane Van Styn
24 May 2016	Science and Engineering Challenge – Rotary International	Mayor Shane Van Styn
25 May 2016	Radio Mama Interview – Current Council Issues	Mayor Shane Van Styn
25 May 2016	Meeting with Juniper Hillcrest – Palliative Care Research	Mayor Shane Van Styn
26 May 2016	ABC Radio Interview – Outcomes of Council Meeting	Mayor Shane Van Styn
26 May 2016	Official Opening of Gunna Do Dance Festival	Mayor Shane Van Styn
26 May 2016	GWN Interview – Australia Liberty Alliance	Mayor Shane Van Styn
26 May 2016	Individual Citizenship Ceremony	Mayor Shane Van Styn
27 May 2016	Meeting with Geraldton Police – Discuss Matters in Common	Mayor Shane Van Styn
27 May 2016	Midwest Development Commission – Board Photos	Mayor Shane Van Styn
27 May 2016	City Hive – Cluster Ignition Workshop	Mayor Shane Van Styn
30 May 2016	Seniors Bowls	Mayor Shane Van Styn
31 May 2016	Official Opening of Reconciliation Week 2016	Cr Bob Hall
01 June 2016	Batavia Coast Maritime Heritage Association – Presentation Dinner	Deputy Mayor Neil Mcllwaine
1 June 2016	Annual TCI Oceania Cluster Event – Adelaide	Mayor Shane Van Styn
2 June 2016	Meeting with Lord Mayor of Adelaide Martin Haese	Mayor Shane Van Styn
2 June 2016	Individual Citizenship Ceremony	Deputy Mayor Neil Mcllwaine
2 June 2016	National Reconciliation Afternoon Tea – Official Closing Event	Cr Bob Hall
3 June 2016	ACDC Launch	Cr Steve Douglas
3 June 2016	WA Centre for Rural Health – Plaque Unveiling – Acknowledgement of Country	Deputy Mayor Neil Mcllwaine
5 June 2016	Tour of Robe Sealife Centre	Mayor Shane Van Styn
6 June 2016	Midwest Indoor Bowls Tournament Trophy Presentation	Mayor Shane Van Styn
7 June 2016	Regular Catch-Up Marketing & Media	Mayor Shane Van Styn
7 June 2016	Regular Catch-Up CEO	Mayor Shane Van Styn
7 June 2016	Regional Capitals Australia – Budget Teleconference	Mayor Shane Van Styn
7 June 2016	Regular Catch-up with Local Members	Mayor Shane Van Styn
7 June 2016	Concept Forum – June 2016	Mayor Shane Van Styn
8 June 2016	Leaning Tree Community School – Turning the Soil on new School Site	Mayor Shane Van Styn
8 June 2016	Geraldton Guardian Interview – Cluster Musters	Mayor Shane Van Styn

8 June 2016	Regional Capitals Australia – Teleconference	Mayor Shane Van Styn
8 June 2016	2016 Geraldton City to Surf Launch	Mayor Shane Van Styn
9 June 2016	Meeting with Shane Love MLA – Re: Mullewa	Mayor Shane Van Styn
9 June 2016	Regional Centres Development Plan Meeting	Mayor Shane Van Styn
9 June 2016	GWN Interview – St Georges Beach Erosion	Mayor Shane Van Styn
10 June 2016	Tour of Water Corporation – Waste Water Pumping Station – Drummond Cove	Mayor Shane Van Styn
10 June 2016	Marine Services Cluster Muster	Mayor Shane Van Styn
11 June 2016	Commemoration of Philippines Independence Day	Mayor Shane Van Styn
12 June 2016	Tour of Coastal Erosion – Town Beach to Drummond Cove	Mayor Shane Van Styn
14 June 2016	Meeting with CEO – Town Towers	Mayor Shane Van Styn
14 June 2016	Citizenship Ceremony – June 2016	Mayor Shane Van Styn
14 June 2016	Meeting with CEO – Budget Booklet	Mayor Shane Van Styn
14 June 2016	June Business After Hours	Mayor Shane Van Styn
15 June 2016	Taste & See Café – 5 th Birthday Celebration Lunch	Mayor Shane Van Styn
16 June 2016	Meeting Midwest Ports	Mayor Shane Van Styn
17 June 2016	Development Assessment Panel Training	Mayor Shane Van Styn
17 June 2016	ACDC Inaugural Art Exhibition	Cr Bob Hall
18 June 2016	Regional Capitals Australia – Pre Meeting Brief	Mayor Shane Van Styn
18 June 2016	Regional Capitals Australia – Board Meeting	Mayor Shane Van Styn
18 June 2016	Rotary Geraldton-Greenough 30 th Changeover Dinner	Cr Bob Hall
18 June 2016	Landmark Inaugural Country Championship Regional Fixture - GNFL v Avon Football Match	Cr Natasha Colliver
19 June 2016	Regional Cooperation and Development Forum 2016	Mayor Shane Van Styn
19 June 2016	Australian Local Government Association National General Assembly Reception and Exhibition Opening	Mayor Shane Van Styn
20 June 2016	Australian Local Government Association National General Assembly	Mayor Shane Van Styn
20 June 2016	Australian Local Government Association National General Assembly Buffet Dinner	Mayor Shane Van Styn
21 June 2016	Western Australia Local Government Association – Breakfast	Mayor Shane Van Styn
21 June 2016	Australian Local Government Association National General Assembly Dinner	Mayor Shane Van Styn
22 June 2016	Regional Capitals Australia Networking Breakfast	Mayor Shane Van Styn
23 June 2016	Budget Media Discussion with Geraldton Guardian	Mayor Shane Van Styn
23 June 2016	WA Museum Geraldton Site Advisory Committee Meeting	Mayor Shane Van Styn
23 June 2016	Photo Opportunity – Foodbank New Build	Mayor Shane Van Styn
23 June 2016	Regular Catch Up with Mayor & CEO	Mayor Shane Van Styn
24 June 2016	Meeting with Premier Hon. Colin Barnett	Mayor Shane Van Styn
24 June 2016	Official Opening of the West End Revitalisation Projects	Mayor Shane Van Styn

24 June 2016	Fishability Geraldton Program Launch	Mayor Shane Van Styn
24 June 2016	Photo Opportunity – Meru Waste Facility	Mayor Shane Van Styn
25 June 2016	Midwest Business Excellence Awards	Mayor Shane Van Styn
27 June 2016	Northern Country Zone Meeting	Mayor Shane Van Styn
27 June 2016	Regular Catch – Up Marketing & Media	Mayor Shane Van Styn
27 June 2016	Special Meeting of Council – 2016/17 Budget Considerations	Mayor Shane Van Styn
28 June 2016	2016/17 Budget Breakfast	Mayor Shane Van Styn
28 June 2016	LEAP Students Tour of CGG	Mayor Shane Van Styn
28 June 2016	Photo Shoot of New Councillors & Executives	Mayor Shane Van Styn
28 June 2016	Ordinary Meeting of Council – June 2016	Mayor Shane Van Styn

11 REPORTS OF DEVELOPMENT AND COMMUNITY SERVICES

DCS280 PROPOSED CLOSURE AND DISPOSAL – PORTION OF PLACE ROAD, WONTHELLA

AGENDA REFERENCE:	D-16-36585
AUTHOR:	C Krummenacher, Planning Officer
EXECUTIVE:	P Melling, Director Development & Community Services
DATE OF REPORT:	8 June 2016
FILE REFERENCE:	RO/11/0013 & RC111
ATTACHMENTS:	Yes (x1) A. Locality Map and Road Closure Plan

EXECUTIVE SUMMARY:

The advertising period has concluded for the closure and disposal of a portion of unconstructed road reserve abutting Lot 161 Place Road, Wonthealla. This report recommends support of the closure and disposal.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 58 of the Land Administration Act 1997 RESOLVES to:

1. REQUEST the Minister for Lands to approve the closure and amalgamation of portion of the road reserve abutting Lot 161 Place Road, Wonthealla as shown on Plan No. 07216AS1-1-0.

PROPONENT:

The proponent is HTD Surveyors and Planners acting on behalf of the owners of Lot 161 Place Road, Wonthealla (Tabgem Holdings Pty Ltd).

BACKGROUND:

In 1996 a subdivision was approved that created Lot 161. As part of this subdivision a truncation area was ceded as road reserve that was to provide for a future road connection to Place Road, abutting Lot 161 to the east.

Subsequent subdivision of adjoining lots has resulted in the provision of a future road to connect with Place Road some 25m further east. The 50m² road truncation that was originally ceded is now redundant.

A locality map and road closure plan are included as Attachment No. DCS280.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

There are no economic issues.

Social:

There are no social issues.

Environmental:

There are no environmental issues.

Cultural:

There are no cultural issues.

RELEVANT PRECEDENTS:

The author is not aware of any relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

The proposed closure and disposal was publicly advertised in accordance with the provisions of the Land Administration Act 1997.

The advertising period was for 39 days (commencing on Friday 22 April 2016 and concluding on Monday 30 May 2016) and involved the following:

1. A notice appeared in the Geraldton Guardian on 22 April 2016;
2. The closure was publicly displayed at the Civic Centre;
3. The closure was publicly advertised on the City's website; and
4. The closure was referred to the following:
 - Australia Post
 - ATCO Gas Australia
 - Western Power
 - Telstra
 - Water Corporation
 - Main Roads WA
 - Department of Fire and Emergency Services
 - Department of Planning
 - Adjoining Lot 167 Place Road

Submissions:

As a result of advertising a total of 5 submissions were received (all from servicing authorities and government agencies with no objection). Copies of the actual submissions are available to Council upon request.

There has been no Councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 58 of the Land Administration Act 1997 provides for the closure of public roads.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial and resource implications, however the owner of Lot 161 will be requesting that the Department of Lands waive the purchase fee, given that the land was originally ceded free of cost by the landowner as part of a subdivision application.

INTEGRATED PLANNING LINKS:

Title: Governance	Planning and Policy
Strategy 5.2.1	Responding to community aspirations by providing creative yet effective planning and zoning for future development.

REGIONAL OUTCOMES:

There are no regional outcomes.

RISK MANAGEMENT:

There are no inherent risks with the closure and disposal.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The truncation area, ceded as road reserve, is now redundant. Closure and disposal with the adjoining Lot 161 will make effective use of land which would otherwise remain as redundant road reserve. The option to refuse is therefore not supported.

The option to defer is not supported as there is considered sufficient information for Council to determine the matter.

COUNCIL DECISION**MOVED CR BYLUND, SECONDED CR ELLIS**

That Council by Simple Majority pursuant to Section 58 of the Land Administration Act 1997 RESOLVES to:

- 1. REQUEST the Minister for Lands to approve the closure and amalgamation of portion of the road reserve abutting Lot 161 Place Road, Wonthella as shown on Plan No. 07216AS1-1-0.**

CARRIED 14/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed.

**DCS281 PROPOSED CLOSURE AND DISPOSAL – PORTION OF
TERSONIA WAY, STRATHALBYN**

AGENDA REFERENCE:	D-16-36752
AUTHOR:	C Krummenacher, Planning Officer
EXECUTIVE:	P Melling, Director Development & Community Services
DATE OF REPORT:	8 June 2016
FILE REFERENCE:	RO/11/0012 & RC110
ATTACHMENTS:	Yes (x1)
	A. Road Closure Plan

EXECUTIVE SUMMARY:

The advertising period has concluded for the closure and disposal of a portion of unconstructed road reserve abutting Lots 484 and 502 Tersonia Way, Strathalbyn. This report recommends support of the closure and disposal.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 58 of the Land Administration Act 1997 RESOLVES to:

1. REQUEST the Minister for Lands to approve the closure and amalgamation of portion of the road reserve abutting Lots 484 and 502 Tersonia Way, Strathalbyn as shown on Plan No. 15136-01.

PROPONENT:

The proponent is Landwest acting on behalf of the owners of Lots 484 and 502 Tersonia Way (LG and CM Ackland and Strathalbyn Christian Community School).

BACKGROUND:

It would appear that there was an intent for a road connection from Tersonia Way through to Sunnybanks Drive to the south, and with earlier subdivision small truncations were created as road reserve.

With the development of the school on Lots 484 and 502, there is no requirement for the road connection and the 191m² road truncation areas are now redundant.

It is proposed to amalgamate 102m² with Lot 484 and the remaining 89m² with Lot 502.

The road closure plan is included as Attachment No. DCS281.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:**Economic:**

There are no economic issues.

Social:

There are no social issues.

Environmental:

There are no environmental issues.

Cultural:

There are no cultural and heritage issues.

RELEVANT PRECEDENTS:

The author is not aware of any relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

The proposed closure and disposal was publicly advertised in accordance with the provisions of the Land Administration Act 1997.

The advertising period was for 36 days (commencing on Tuesday 03 May 2016 and concluding on Tuesday 07 June 2016) and involved the following:

1. A notice appeared in the Geraldton Guardian on 03 May 2016;
2. The closure was publicly displayed at the Civic Centre;
3. The closure was publicly advertised on the City's website; and
4. The closure and disposal was referred to the following servicing authorities:
 - Australia Post
 - ATCO Gas Australia
 - Western Power
 - Telstra
 - Water Corporation
 - Main Roads WA
 - Department of Fire and Emergency Services
 - Department of Planning

Submissions:

As a result of advertising a total of 6 submissions were received (all from servicing authorities and government agencies with no objection). Copies of the actual submissions are available to Council upon request.

There has been no Councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 58 of the Land Administration Act 1997 provides for the closure of public roads.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial and resource implications.

INTEGRATED PLANNING LINKS:

Title: Governance Strategy 5.2.1	Planning and Policy Responding to community aspirations by providing creative yet effective planning and zoning for future development.
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REGIONAL OUTCOMES:

There are no regional outcomes.

RISK MANAGEMENT

There are no inherent risks with the closure and disposal.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

The truncation areas, ceded as road reserve, are now redundant. Closure and disposal with the adjoining Lots 484 and 502 will make effective use of land which would otherwise remain as redundant road reserve. The option to refuse is therefore not supported.

The option to defer is not supported as there is considered to be sufficient information for Council to determine the matter.

COUNCIL DECISION**MOVED CR HALL, SECONDED CR GRAHAM**

That Council by Simple Majority pursuant to Section 58 of the Land Administration Act 1997 RESOLVES to:

1. **REQUEST** the Minister for Lands to approve the closure and amalgamation of portion of the road reserve abutting Lots 484 and 502 Tersonia Way, Strathalbyn as shown on Plan No. 15136-01.

CARRIED 14/0**5:22:19 PM**

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	YES
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. McIlwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	YES
Cr. Thomas	YES

DCS282 FINAL ADOPTION OF 'REVEGETATION IN THE RURAL RESIDENTIAL ZONE' LOCAL PLANNING POLICY
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AGENDA REFERENCE:	D-16-36755
AUTHOR:	M Connell, Manager Urban & Regional Development
EXECUTIVE:	P Melling, Director Development & Community Services
DATE OF REPORT:	7 June 2016
FILE REFERENCE:	LP/8/0001
ATTACHMENTS:	Yes (x2) A. Schedule of Submissions B. Revised Policy

EXECUTIVE SUMMARY:

The advertising period has concluded for the draft policy with 3 submissions being received. This report recommends final adoption of the policy subject to minor modifications as detailed in the 'Schedule of Submissions'.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Schedule 2, Part 2, Division 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, RESOLVES to:

1. DETERMINE the submissions as detailed in the 'Schedule of Submissions'; and
2. ADOPT for final approval the 'Revegetation in the Rural Residential Zone' local planning policy (version 2).

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The new Local Planning Scheme No. 1 has the specific objective for the Rural Residential zone to improve environmental and biodiversity outcomes through the protection and enhancement of remnant vegetation. It also has specific clauses requiring revegetation in the Rural Residential zone.

A local planning policy is required to provide further guidance and clarity to the Scheme.

The policy acknowledges the existing revegetation controls in place for the Waggrakine Rural Residential structure plan area and also the significant River restoration works being undertaken by the developer of the Deepdale estate. It also provides guidance on species, planting density, cash-in-lieu and bonding of works.

Council at its meeting held on 26 April 2016 resolved to:

1. *ADOPT the 'Revegetation in the Rural Residential Zone' local planning policy as a draft for the purpose of public advertising;*
2. *ADOPT the local planning policy for final approval should no objections be received during the advertising period; and*
3. *REQUIRE a further report to Council should there be any objections received during the advertising period.*

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

There are no economic issues.

Social:

There are no social issues.

Environmental:

The Geraldton area is included in one of only 34 global biodiversity hotspots (being both very high biodiversity value, yet also under significant threat) and is one of only 15 national biodiversity hotspots. The Geraldton region supports a very high level of biodiversity but is also under significant threat from clearing, fragmentation and degradation. Less than 18% of pre-European extent of native vegetation remains in the area, and nearly half of that may be lost through planned developments.

The policy will assist in improving biodiversity outcomes.

Cultural:

There are no cultural issues.

RELEVANT PRECEDENTS:

Council at its meeting held on 21 December 2010 adopted the Waggrakine Rural Residential structure plan.

Council at its meeting held on 26 April 2016 adopted the policy as a draft for the purpose of public advertising.

Council has previously adopted a number of local planning policies.

COMMUNITY/COUNCILLOR CONSULTATION:

The draft policy was advertised in accordance with the provisions of Schedule 2, Part 2, clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The advertising period was for 25 days (commencing on Friday 06 May 2016 and concluding on Monday 30 May 2016) and involved the following:

1. A notice appeared in the Geraldton Guardian on Friday 06 May 2016;
2. The draft policy was available on the City's website;
3. The draft policy was publicly displayed at the Civic Centre; and
4. The draft policy was referred to the following:
 - Department of Environment Regulation;
 - Department of Water;
 - Department of Parks and Wildlife; and
 - Department of Planning.

Submissions:

As a result of the advertising, a total of 3 submissions were received (no objections). A 'Schedule of Submissions' is included as Attachment No. DCS282A and copies of the actual submissions are available to Council upon request.

As a result of the submissions received the draft policy is proposed to be slightly amended and the revised policy (version 2) is included as Attachment No. DCS282B.

There has been no Councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

The *Planning and Development (Local Planning Schemes) Regulations 2015* provide for local planning policies as follows:

3. Local planning policies

- (1) *The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.*
- (2) *A local planning policy:*
 - (a) *may apply generally or in respect of a particular class or classes of matters specified in the policy; and*
 - (b) *may apply to the whole of the Scheme area or to part or parts of the Scheme area specified in the policy.*
- (3) *A local planning policy must be based on sound town planning principles and may address either strategic or operational considerations in relation to the matters to which the policy applies.*
- (4) *The local government may amend or repeal a local planning policy.*
- (5) *In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.*

FINANCIAL AND RESOURCE IMPLICATIONS:

The policy acknowledges that there may be landowners more committed, skilled and resourced to undertake revegetation and rehabilitation and management. There also may be instances where more positive biodiversity outcomes can be achieved through revegetation and rehabilitation of selective areas. In these instances, the City may accept a cash contribution in lieu of revegetation. Monies collected will be held in trust for use in achieving biodiversity outcomes within the locality.

This practice is already occurring in the Waggrakine Rural Residential structure plan area.

INTEGRATED PLANNING LINKS:

Title: Environment	Revegetation – Rehabilitation – Preservation
Strategy 2.1.3	Preserving, rehabilitating and enhancing natural flora and fauna corridors
Title: Governance	Planning and Policy
Strategy 5.2.7	Ensuring efficient and effective delivery of service

REGIONAL OUTCOMES:

In November 2013, the City adopted the Local Biodiversity Strategy. The Strategy was developed on the basis of detailed spatial and technical information contained within the Geraldton Regional Flora and Vegetation Survey and the Geraldton Regional Conservation Report, together with significant community consultation and agency input. The Strategy provides a prioritised list of natural areas for conservation action and highlights the need for innovative planning outcomes, greater private land owner conservation and increased community involvement.

The policy will assist in achieving the goals of the Strategy.

RISK MANAGEMENT:

By not adopting the policy there is a risk that the City will not have a sufficient planning framework to guide decision making.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

It is considered essential, that in the interest of providing a sound planning framework from which the local government can be guided in its discretion and decision making process, that new policies be prepared and existing policies be revised.

The new Local Planning Scheme No. 1 has specific clauses requiring revegetation in the Rural Residential zone and a local planning policy is required to provide further guidance and clarity to the Scheme. The option to refuse is therefore not supported.

The option to defer the matter is not supported as there is considered sufficient information for Council to determine the matter.

COUNCIL DECISION**MOVED CR ELLIS, SECONDED CR REYMOND**

That Council by Simple Majority pursuant to Schedule 2, Part 2, Division 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, RESOLVES to:

1. DETERMINE the submissions as detailed in the 'Schedule of Submissions'; and
2. ADOPT for final approval the 'Revegetation in the Rural Residential Zone' local planning policy (version 2).

CARRIED 11/3

5:26:52 PM

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	NO
Cr. Ellis	YES
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	NO
Cr. Tanti	YES
Cr. Reymond	YES
Cr. McIlwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	NO
Cr. Thomas	YES

DCS283 FINAL ADOPTION OF THE 'GERALDTON/BEACHLANDS HERITAGE AREA' LOCAL PLANNING POLICY

AGENDA REFERENCE:	D-16-36757
AUTHOR:	M Connell, Manager Urban & Regional Development
EXECUTIVE:	P Melling, Director Development & Regulatory Services
DATE OF REPORT:	7 June 2016
FILE REFERENCE:	LP/8/0001
ATTACHMENTS:	Yes (x2)
	A. Schedule of Submissions
	B. Revised Policy

EXECUTIVE SUMMARY:

The advertising period has concluded for the draft policy with 5 submissions being received. This report recommends final adoption of the policy subject to minor modifications as detailed in the 'Schedule of Submissions'.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Schedule 2, Part 3, clause 9 of the Planning and Development (Local Planning Schemes) Regulations 2015, RESOLVES to:

1. DETERMINE the submissions as detailed in the 'Schedule of Submissions'; and
2. ADOPT for final approval the 'Geraldton/Beachlands Heritage Area' local planning policy (version 2).

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The former City of Greater Geraldton Town Planning Scheme No. 3 (Geraldton) identified a number of '*Urban Precincts*' whose particular circumstances required more focused management and control. Two of which were *Precinct A – Fitzgerald Street* and *Precinct C – Augustus Street* areas which were governed by design guidelines.

Under the new *Planning and Development (Local Planning Schemes) Regulations 2015* if the local government considers that special planning control is needed to conserve and enhance the cultural heritage significance and character of an area, they may designate it as a heritage area and set out control via a local planning policy.

The City's new Local Planning Strategy has designated the Geraldton/Beachlands Heritage Area ('Heritage Area') which is an amalgamation of portions of *Precinct A – Fitzgerald Street* and the *Precinct C – Augustus Street* and includes a new area which extends further south along Francis Street and west to Burges Street.

The heritage area is considered to have heritage significance because it maintains a maturity that results from the existence of many older buildings and established landscaping and street trees. The areas visual prominence, which differentiates it from other parts of the City, means it warrants special consideration in terms of the type of development that occurs within, in order to preserve the visual amenity that does currently exist.

The new Geraldton/Beachlands Heritage Area Local Planning Policy ('the policy') builds on the previous design guidelines documents, however a number of changes have occurred such as:

- Simplifying the objectives of the policy to bring them into line with those recommended by the Heritage Council of WA;
- Clarifying the relationship between the policy and the Residential Design Codes ('R-Codes');
- Minor modifications to the design requirements to ensure compatibility with other local planning policies and the R-Codes;
- The inclusion of additional figures to assist with illustrating the aims of the design requirements; and
- Including streetscape elements.

Council at its meeting held on 22 March 2016 resolved to:

1. *ADOPT the Geraldton/Beachlands Heritage Area local planning policy as a draft for the purpose of public advertising for a period of 30 days;*
2. *ADOPT the local planning policy for final approval should no objections be received during the advertising period; and*
3. *REQUIRE a further report to Council should there be any objections received during the advertising period.*

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

There are no economic issues.

Social:

There are no social issues.

Environmental:

There are no environmental issues.

Cultural:

There are 132 places within the heritage area which are listed in the City's Municipal Inventory.

The objective of the policy is to assist in the conservation and preservation not just of the MI listed places but also to conserve and enhance the cultural heritage significance and character of the area as a whole.

RELEVANT PRECEDENTS:

Council at its meeting held on 15 December 2015 adopted the Municipal Inventory as the heritage list for Local Planning Scheme No. 1.

Council at its meeting held on 22 March 2016 adopted the policy as a draft for the purpose of public advertising.

Council has previously adopted a number of local planning policies.

COMMUNITY/COUNCILLOR CONSULTATION:

The draft policy was advertised in accordance with the provisions of Schedule 2, Part 3, clause 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The advertising period was for 32 days (commencing on Friday 08 April 2016 and concluding on Monday 09 May 2016) and involved the following:

1. A notice appeared in the Geraldton Guardian on Friday 08 April 2016;
2. The draft policy was available on the City's website;
3. The draft policy was publicly displayed at the Civic Centre;
4. Each landowner within the heritage areas was notified in writing and provided with a copy of the draft policy; and
5. The draft policy was referred to the following:
 - Department of Planning;
 - State Heritage Office; and
 - The City's Regional Heritage Advisor.

Submissions:

As a result of the advertising, a total of 5 submissions were received (no objections). A 'Schedule of Submissions' is included as Attachment No. DCS283A and copies of the actual submissions are available to Council upon request.

As a result of the submissions received the draft policy is proposed to be slightly amended and the revised policy (version 2) is included as Attachment No. DCS283B.

There has been no Councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

The *Planning and Development (Local Planning Schemes) Regulations 2015* provides for the designation of a heritage area as follows:

9. Designation of heritage areas

- (1) *If, in the opinion of the local government, special planning control is needed to conserve and enhance the cultural heritage significance and character of an area to which this Scheme applies, the local*

government may, by resolution, designate that area as a heritage area.

(2) *If the local government designates an area as a heritage area the local government must adopt for the area a local planning policy that sets out the following –*

- (a) *a map showing the boundaries of the heritage area;*
- (b) *a statement about the heritage significance of the area;*
- (c) *a record of places of heritage significance in the heritage area.*

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial and resource implications.

INTEGRATED PLANNING LINKS:

Title: Governance	Planning and Policy
Strategy 5.2.3	Addressing cultural heritage issues and the preservation and enhancement of natural areas as part of the development process.
Strategy 5.2.7	Ensuring efficient and effective delivery of service.

REGIONAL OUTCOMES:

Heritage Strategy:

This Strategy provides the overarching framework and strategic direction for heritage planning in the City for 2013 and beyond. The Strategy has five aims one of which is:

4.2 Protecting

In order to adequately protect heritage places, it is important that statutory legislation, controls, policies and procedures are in place and effectively utilised. Therefore, securing (statutory) protection for identified places and objects is central to the City of Greater Geraldton's heritage strategy.

One action in the Strategy is:

2.3 Review the effectiveness of heritage management policies previously adopted, amend as needed.

RISK MANAGEMENT:

By not adopting the policy the City will be in breach of the *Planning and Development (Local Planning Schemes) Regulations 2015* which states that a local government must prepare a policy for a heritage area.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

The heritage area is considered to have a high level of heritage significance (with 132 MI listed places) which warrants special consideration in terms of the type of development which occurs within it. The policy will provide appropriate

guidance to conserve and enhance the cultural heritage significance and character of the area. The option to refuse is therefore not supported.

The option to defer the matter is not supported as there is considered sufficient information for Council to determine the matter.

COUNCIL DECISION

MOVED CR REYMOND, SECONDED CR DOUGLAS

That Council by Simple Majority pursuant to Schedule 2, Part 3, clause 9 of the Planning and Development (Local Planning Schemes) Regulations 2015, RESOLVES to:

- 1. DETERMINE the submissions as detailed in the ‘Schedule of Submissions’; and**
- 2. ADOPT for final approval the ‘Geraldton/Beachlands Heritage Area’ local planning policy (version 2).**

CARRIED 14/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton’s Meeting Procedures Local Law, February 2012 the motion was passed unopposed.

DCS284 PROPOSED LOCAL PLANNING SCHEME AMENDMENT – COMMERCIAL REZONING, GERALDTON

AGENDA REFERENCE:	D-16-36761
AUTHOR:	T Maurici, Planning Officer
EXECUTIVE:	P Melling, Director Development & Community Services
DATE OF REPORT:	8 June 2016
FILE REFERENCE:	LP/14/0002
ATTACHMENTS:	Yes (x1) A. Scheme Amendment Report

EXECUTIVE SUMMARY:

An application has been received to initiate a Local Planning Scheme Amendment ('amendment') to rezone Lots 1 and 2 Durlacher Street, Geraldton from 'Residential' R40 to 'Commercial'.

This report recommends that Council initiate the amendment and determine that the rezoning is a 'standard' amendment.

EXECUTIVE RECOMMENDATION:**Part A:**

That Council by Simple Majority pursuant to Part 5, Section 75 of the Planning and Development Act 2005 RESOLVES to:

1. AMEND Local Planning Scheme No. 1 by rezoning Lots 1 and 2 Durlacher Street, Geraldton to the 'Commercial' zone.

Part B:

That Council by Simple Majority, pursuant to Part 5, Division 1, Regulation 35 of the Planning and Development (Local Planning Schemes) Regulations 2015 RESOLVES to:

1. DETERMINE that the rezoning is a 'standard' amendment.
2. MAKES the determination on the following grounds:
 - a. The amendment is consistent with the City of Greater Geraldton Local Planning Strategy; and
 - b. The amendment does not result in any significant environmental, social, economic or governance impacts on the land.

PROPONENT:

The proponent is Hille, Thompson and Delfos on behalf of Dunmarra Pty Ltd.

BACKGROUND:

The subject land is located in close proximity to the Geraldton CBD. It is situated to the east of Durlacher Street and directly adjoins the Rigters Super IGA Supermarket carpark. The supermarket is already zoned commercial and is part of a complex recognised as a neighbourhood centre in the City of Greater Geraldton Commercial Activity Centres Strategy.

Demolition of 2 houses on-site has recently occurred with the subject land now vacant. The WA Planning Commission has conditionally approved the amalgamation of the 2 lots.

The intention of the amendment is to apply a commercial zoning to the subject land to facilitate the possible future development of a garden centre.

The proponent considers the amendment is appropriate for the following reasons:

- It facilitates the maximum utilisation of the land for commercial purposes;
- It allows for development that will contribute to the areas commercial business; and
- It maximises the development potential of the land with a more suitable land use that is in keeping with the surrounding commercial activities.

The scheme amendment report is included as Attachment No. DCS284.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

The amendment will facilitate increased service needs, diversity of activities and employment opportunities for existing residents.

Social:

There are no social issues.

Environmental:

As part of the amendment process, and prior to public advertising, the Environmental Protection Authority is required to assess the amendment under Part IV of the Environmental Protection Act 1986.

Cultural:

There are no cultural issues.

RELEVANT PRECEDENTS:

The author is not aware of any relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

Should Council initiate the amendment it is required to be publicly advertised for a period of not less than 42 days in accordance with the requirements of the Planning and Development (Local Planning Schemes) Regulations 2015.

There has been no Councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:**Local Planning Scheme No. 1:**

The subject land is currently zoned 'Residential' under Local Planning Scheme No. 1 and the amendment proposes to rezone the land to 'Commercial'.

The objectives of the 'Commercial' zone are to:

- (a) *provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites and activity centres.*
- (b) *ensure activity centres provide for appropriate uses that do not undermine the established and/or planned hierarchy of centres.*
- (c) *provide for efficient, intense and compact centres with a diversity of activity appropriate to the purpose of the centre.*

The amendment is considered to be consistent with these objectives. The subject land abuts an existing neighbourhood activity centre. The increase in the commercial zone will not compromise the hierarchy of the centre and will facilitate a diversity of activity for the centre.

Planning and Development Act 2005:

Part 5, Section 75 of the Planning and Development Act 2005 provides for a local government to amend a local planning scheme.

Planning and Development (Local Planning Schemes) Regulations 2015:

Part 5, Division 1, Regulation 35 of the Planning and Development (Local Planning Schemes) Regulations 2015 requires that the local government resolution must specify whether, in the opinion of the local government the amendment is a basic, standard or complex amendment.

In essence a 'basic' amendment is one that corrects an administrative error in the scheme or rectifies a zoning anomaly.

A 'standard' amendment is one that is consistent with a local planning strategy, would have minimal impact on land in the area and does not result in any significant impacts on the land.

A 'complex' amendment is one that is not consistent with a local planning strategy and is of a scale that will have an impact that is significant relative to the development in the locality.

This amendment is considered to be a 'standard' amendment.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial and resource implications.

INTEGRATED PLANNING LINKS:

Title: Governance	Planning and Policy
Strategy: 5.2.1	Responding to community aspirations by providing creative yet effective planning and zoning for future development.

REGIONAL OUTCOMES:**Local Planning Strategy:**

This Strategy represents the land use planning response to the City's strategic community vision. It guides long-term land use planning and provides the rationale for land use and development controls.

The existing Super IGA supermarket has been identified in the Strategy as a 'Neighbourhood Centre'. The Strategy lists a number of commercial strategies and actions, the most relevant being:

Strategies:

1. Establish a hierarchy of activity centres and areas where priority should be given for more intensification in close proximity to existing and planned services.

Actions:

1. Implement the land use planning recommendations from the Commercial Activity Centres Strategy.
2. Zone land in and around activity centres to ensure they provide for residential, retail, commercial intensification and mixed use development as appropriate.

The amendment is considered to be consistent with the strategies and actions as it proposing to zone land that will provide for commercial intensification around an existing activity centre.

Commercial Activity Centres Strategy:

This Strategy provides a strategic planning framework for managing future growth in commercial activity by providing performance-based criteria for commercial centres. The Strategy informs the City and proponents of the potential scale for future retail and commercial development in existing and planned activity centres.

The subject land adjoins an activity centre identified in the Strategy as the Geraldton (Durlacher Street) neighbourhood centre. Neighbourhood centres have a greater focus on servicing the daily and weekly household shopping needs of residents and providing community facilities and a small range of other convenience services. Their relatively small scale and catchment enables them to have a greater local community focus and provide services, facilities and job opportunities that reflect the particular needs of their catchment.

For neighbourhood centres, the Strategy proposes retail floorspace to be in the range of 4,000m² – 6,000m². The existing floor space is in the order of 2,300m² and it is envisaged that, with the future development of the subject land, it will increase to approximately 3,000m².

RISK MANAGEMENT:

There are no inherent risks to the City in initiating the amendment.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

It is considered that the amendment is consistent with the overall strategic planning framework.

The subject land abuts an existing neighbourhood activity centre. The increase in the commercial zone will not compromise the hierarchy of the centre and will facilitate a diversity of activity for the centre. The option to refuse is therefore not supported.

The option to defer is not supported as there is considered sufficient information for Council to determine the matter.

COUNCIL DECISION

MOVED CR HALL, SECONDED CR BYLUND

Part A:

That Council by Simple Majority pursuant to Part 5, Section 75 of the Planning and Development Act 2005 RESOLVES to:

1. **AMEND Local Planning Scheme No. 1 by rezoning Lots 1 and 2 Durlacher Street, Geraldton to the ‘Commercial’ zone.**

Part B:

That Council by Simple Majority, pursuant to Part 5, Division 1, Regulation 35 of the Planning and Development (Local Planning Schemes) Regulations 2015 RESOLVES to:

1. **DETERMINE that the rezoning is a ‘standard’ amendment.**
2. **MAKES the determination on the following grounds:**
 - a. **The amendment is consistent with the City of Greater Geraldton Local Planning Strategy; and**
 - b. **The amendment does not result in any significant environmental, social, economic or governance impacts on the land.**

CARRIED 14/0

5:37:20 PM

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	YES

Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. Mcllwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	YES
Cr. Thomas	YES

DCS285 DISSOLUTION OF THE HERITAGE ADVISORY COMMITTEE

AGENDA REFERENCE:	D-16-33382
AUTHOR:	S Smith, Manager Libraries and Heritage
EXECUTIVE:	P Melling, Director Development and Community Services
DATE OF REPORT:	24 May 2016
FILE REFERENCE:	CS/8/0001
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council approval to dissolve the Heritage Advisory Committee.

EXECUTIVE RECOMMENDATION:

That Council by Absolute Majority pursuant to Section 5.8 of the Local Government Act 1995 RESOLVES to:

1. DISSOLVE The Heritage Advisory Committee.

PROPONENT:

The proponent is The City of Greater Geraldton.

BACKGROUND:

At the Ordinary Meeting of Council held on 24 November 2015, Council resolved to re-establish the Heritage Advisory Committee (HAC).

The purpose of the Committee was to advise and make recommendations to Council on the strategic direction for the development and provision of heritage services and facilities in the City of Greater Geraldton. The committee has existed since 2011.

Membership consisted of:

Two elected members of Council (plus one proxy)
Two nominees from the general community
One representative from Walkaway Station Museum Inc.
One representative from Community Group of Greenough Inc.
One representative from Geraldton Historical Society Inc.
City Heritage Advisor (ex-officio)
Representative from the Aboriginal Community
Representative from National Trust WA
Representative from WA Museum Geraldton
City of Greater Geraldton Staff

Initially, meetings were held on a two monthly basis, then three. The most recent recommendation was to hold the meetings on a triannual basis. The last HAC meeting scheduled in February 2016 did not achieve a quorum.

When Libraries and Heritage took over the Heritage Portfolio in 2012 an additional staff member was appointed to work in the Heritage Team to assist with the extra workload.

Over the past two years Heritage staff FTEs have reduced from 3.82 to 1.74. Library clerical staff have reduced by 1.74 FTEs. Therefore, the capacity to plan, prepare and hold meetings as well as prepare and distribute minutes has diminished.

In addition to the above, the Heritage Projects budget has been reduced to \$23,009 in the draft 2016/17 budget. There will be less financial capacity to deliver projects and less need for discussion and consultation with HAC. If the need arises for community consultation in a heritage matter, one off meetings could be called on an “as needs” basis, with representatives from key stakeholder groups invited to attend.

Further to this, the Heritage Strategy document can provide strong guidance for future Council direction.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

There are no economic impacts.

Social:

There are no social impacts.

Environmental:

There are no environmental impacts.

Cultural & Heritage:

The dissolution of the HAC could result in a strong perception that the City does not value its heritage, nor the contribution made by former members of the Committee, noting however, there are a number of formal mechanisms for heritage and its protection, including the City Municipal Heritage Inventory and current library personnel in this area.

RELEVANT PRECEDENTS:

The HAC was originally established in accordance with the adoption of a Heritage Policy by the former City of Geraldton-Greenough at a council meeting held on 24 May 2011.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

As stated, resources in the Heritage Project have been reduced to \$23,009 in the draft 2016/17 budget.

INTEGRATED PLANNING LINKS:

Title: Culture	Our Heritage
Strategy 1.1.1	Recognising and protecting our history and restoring heritage sites and buildings

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT

There are no inherent risks.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

An alternative option is to retain the Heritage Advisory Committee but note that the revised budget proposed in 2016/ 2017 will mean the Committee will have a reduced role and it is likely that the meeting frequency could also be reduced.

COUNCIL DECISION**MOVED CR ELLIS, SECONDED CR BYLUND**

That Council by Absolute Majority pursuant to Section 5.8 and 5.15 of the Local Government Act 1995 **RESOLVES** to:

1. **RETAIN** the Heritage Advisory Committee but reduces meetings to twice per calendar year and at any other time the Chair of the Committee determines it is necessary to meet; and
2. **REDUCE** the quorum of the Heritage Advisory Committee to 5 members (including a minimum of 1 Councillor) and amends the Committee Book accordingly.

CARRIED 14/0
5:45:40 PM

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	YES
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. Mcllwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	YES
Cr. Thomas	YES

**REASON FOR VARIATION TO THE EXECUTIVE RECOMMENDATION:
That Council retain the Heritage Advisory Committee.**

DCS286 DELEGATED AUTHORITY, ENVIRONMENTAL HEALTH AND OTHER OFFICERS 2016
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AGENDA REFERENCE:	D-16-36210
AUTHOR:	H Williamson, Coordinator Environmental Health & Fire Emergency Services
EXECUTIVE:	P Melling, Director, Development and Community Services
DATE OF REPORT:	3 June 2016
FILE REFERENCE:	SM/1/0001
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes (x1) A. Schedule of Authorised Officers

EXECUTIVE SUMMARY:

This report seeks Council delegated authority to persons and positions listed in the attached schedule of authorised officers. The list contains powers and functions of Health, Food and Caravan Park and Camping legislation, which empowers them to perform as authorised officers the functions of local government. The list is currently not up to date due to recent staff changes and needs to be made current. The schedule listed in this report requires Council delegated approval and is attached as Attachment No. DCS286.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority exercise its delegated power under section 26 of the *Health Act 1911*, sections 118, 122 and 126 of the *Food Act 2008*, 17 and 23(2) of the *Caravan Parks and Camping Grounds Act 1995* and regulation 6 of the *Caravan Parks and Camping Grounds Regulations 1997* to:

1. AUTHORISE the persons listed in the schedule circulated with the agenda item to perform the functions under the relevant legislation as specified in the schedule listed below.

Schedule of authorised and designated officers
Hayley Williamson, Coordinator Environmental Health and Waste Management Services:
Appoint under section 26 of the <i>Health Act</i> to be the City's deputy with authority to exercise and discharge the following powers and functions of the City under the Act –
(a) enter premises;
(b) investigate offences;
(c) instigate prosecutions;
(d) issue orders, directions and notices;
(e) approve and certify public buildings;
(f) any power or function under the City of Geraldton Health Local Laws 2014 and any local law adopted to replace those local laws.
Delegate the power under section 118(2) of the <i>Food Act</i> to, for the

purposes of the Act –
(a) issue orders and notices; and
(b) register a food business.
Appoint as an authorised officer to section 122(1) of the Food Act 2008 with authority to exercise the following powers under the Act –
(a) enter premises;
(b) investigate offences; and
(c) instigate prosecutions.
Designate under section 126(13) of the <i>Food Act</i> as a designated officer for the purpose of giving infringement notices under section 126(2) of the Act.
Appoint as an authorised officer under section 17(1) of the <i>Caravan Parks and Camping Grounds Act</i> and grant authority under regulation 43 of the <i>Caravan Parks and Camping Grounds Regulations</i> to grant or renew a licence for a caravan park or camping ground.
Appoint under section 23(11) of the <i>Caravan Parks and Camping Grounds Act</i> as a person authorised to give an infringement notice under section 23(2) of the Act.
Schedule of authorised and designated officers
Andy White, Coordinator Development Compliance, Urban and Regional Development.
Kate Wykstra, Development Compliance Officer, Urban and Regional Development.
Appoint as an authorised officer under section 122(1) of the Food Act 2008 with authority to exercise the following powers under the Act –
(a) instigate prosecutions
Schedule of authorised and designated officers
Environmental Health Officers
Malou Bullicer, Assistant Environmental Health Technical Officer;
James Hewitt, Environmental Health Technical Officer;
Jason Reid, Environmental Health Officer
Piotr Zenni, Contract Environmental Health Officer
Appoint under section 26 and 27 (5) of the <i>Health Act</i> to be the City's deputies with authority to exercise and discharge the powers and functions of the City under the Act to enter premises and investigate offences.
Appoint as authorised officers under section 122(1) of the <i>Food Act</i> with authority to exercise the powers under the Act to enter premises and investigate offences.
Designate under section 126(13) of the <i>Food Act</i> as designated officers for the purpose of giving infringement notices under section 126(2) of the Act.
Appoint under section 23(11) of the <i>Caravan Parks and Camping Grounds Act</i> as persons authorised to give an infringement notice under section 23(2)

of the Act.
Executive Officers
Ken Diehm (Chief Executive Officer) Philip Melling (Director, Development and Community Services) Ross McKim (Director, Infrastructure Services) Robert Davis (Director, Corporate and Commercial Services)
Appointed as Designated Officers pursuant to section 126(13) of the <i>Food Act 2008</i> to carry out functions in respect to Section 126(1), (3), (6), (7) as designated officers for the purposes of extending the period within which a modified penalty the subject of an infringement notice given under section 126(2) of the Act may be paid or withdrawing such a notice.
Appoint as an authorised officer under section 17(1) of the <i>Caravan Parks and Camping Grounds Act 1995</i> purpose of subsection 23(11) of the <i>Caravan Parks and Camping Grounds 1995</i> to act as persons authorised for the purposes of subsection (3), (5) and (7) extending the period within which a modified penalty the subject of an infringement notice given under section 23(2) of the Act may be paid or withdrawing such a notice.
Contracted Officers
Justin Hagan, Meat Inspector Deon Hagan, Meat inspector Paul Boardman, Meat Inspector Michael Smith, Meat Inspector Michael Caporn, Meat Inspector
Appoint as an authorised officer under section 122 (1) of the <i>Food Act</i> with authority to inspect ante mortem and post mortem meat carcasses and use approved brand only at premises trading as Hagan Bros Abattoir, 35528 Brand Highway, Greenough.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The City last renewed its Environmental Health Officer delegations pursuant to the *Health Act 1911, as amended* and *Local Government Act 1995* through Council resolution on 23 February 2016. Since then, there have been operational changes to staff that carry out regular administrative and enforcement responsibilities.

Whilst City Officers have up to date certificates of authorisation, the purpose of this agenda paper is to ensure Council authorised delegations remain current and recorded accurately on its corporate delegations register and made available to be audited by the relevant authority from time to time.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:**Economic:**

There are positive economic impacts through effective execution of environmental health legislative powers particularly in relation to the benefits of

businesses reducing their risk of litigation as a result of serious harm to health and wellbeing as a result of unsafe practices.

Social:

There are positive social impacts through effective execution of environmental health legislative powers particularly in relation to health and wellbeing.

Environmental:

There are positive environmental impacts through effective execution of legislative powers particularly in relation to the control of pollution.

Cultural & Heritage:

There are no cultural and heritage impacts with this item. Authorised officers are working in cross cultural situations.

RELEVANT PRECEDENTS:

The previous Council decision regarding these particular delegations was made on 23 February 2016.

COMMUNITY/COUNCILLOR CONSULTATION:

The City is required to liaise with the Department of Health regarding authorisations required to be made under the Health Act 1911, as amended and *Food Act 2008* and *Food Regulations 2009*. The City has contacted the relevant persons within the Health Department regarding changes to the existing authorisations and is satisfied with the advice received.

McLeod's Solicitors have previously provided advice in the setting out of the schedule of authorised and designated officers in this item.

LEGISLATIVE/POLICY IMPLICATIONS:

Council is able to execute by delegation specific powers in relation to its responsibilities under the *Local Government Act 1995*, *Health Act 1911*, *Caravan Parks and Camping Grounds Act 1995*, *Caravan Parks and Camping Grounds Regulations 1997*, *Food Act 2008* and *Food Regulations 2009*.

The delegation of such powers does not remove any of the responsibilities of the local government from exercising its powers.

There is no impact on existing policies or new policies proposed as a result of the authorisations.

FINANCIAL AND RESOURCE IMPLICATIONS:

No significant costs increases are associated with the delegated authority.

INTEGRATED PLANNING LINKS:

Title: Social	Community Health and Safety
Strategy 3.5.3	Promoting healthy life style initiatives and living standards
Strategy 3.5.5	Creating safer communities
Title: Governance	Planning and Policy

REGIONAL OUTCOMES:

There may be positive regional outcomes where authorised officers are made available to other local government authorities on fee for service basis.

RISK MANAGEMENT

This proposal's purpose is to mitigate against potential risks associated with officers performing their respective roles without holding the appropriate legal authority to do so as required by the relevant legislation. The wording of the delegated authority has been provided with advice from the City's appointed legal advisers and follows the published guidelines issued by the relevant statutory agencies and conforms with them. There is a consequential risk of misuse of powers or unlawful enforcement action if the officers exercising perceived powers have not been correctly authorised to do so and potentially resulting in the City and officers personally being exposed to legal and/or financial liabilities.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

The City is required to review its delegations regularly to ensure it remains current and meets the responsibilities to perform the required functions imposed by the relevant Acts and subsidiary legislation.

The current delegated authority schedule is no longer current and is required to be brought up to date to enable transparency and effective governance of the statutory powers required to be executed by local government. Therefore, there are not alternative options to consider.

COUNCIL DECISION**MOVED CR REYMOND, SECONDED CR HALL**

That Council by Simple Majority exercise its delegated power under section 26 of the *Health Act 1911*, sections 118, 122 and 126 of the *Food Act 2008*, 17 and 23(2) of the *Caravan Parks and Camping Grounds Act 1995* and regulation 6 of the *Caravan Parks and Camping Grounds Regulations 1997* to:

1. AUTHORISE the persons listed in the schedule circulated with the agenda item to perform the functions under the relevant legislation as specified in the schedule listed below.

Schedule of authorised and designated officers
Hayley Williamson, Coordinator Environmental Health and Waste Management Services:
Appoint under section 26 of the <i>Health Act</i> to be the City's deputy with authority to exercise and discharge the following powers and functions of the City under the Act –
(a) enter premises;
(b) investigate offences;
(c) instigate prosecutions;
(d) issue orders, directions and notices;
(e) approve and certify public buildings;
(f) any power or function under the City of Geraldton Health Local Laws 2014 and any local law adopted to replace those local laws.
Delegate the power under section 118(2) of the <i>Food Act</i> to, for the purposes of the Act –
(a) issue orders and notices; and
(b) register a food business.
Appoint as an authorised officer to section 122(1) of the <i>Food Act 2008</i> with authority to exercise the following powers under the Act –
(a) enter premises;
(b) investigate offences; and
(c) instigate prosecutions.
Designate under section 126(13) of the <i>Food Act</i> as a designated officer for the purpose of giving infringement notices under section 126(2) of the Act.
Appoint as an authorised officer under section 17(1) of the <i>Caravan Parks and Camping Grounds Act</i> and grant authority under regulation 43 of the <i>Caravan Parks and Camping Grounds Regulations</i> to grant or renew a

licence for a caravan park or camping ground.
Appoint under section 23(11) of the <i>Caravan Parks and Camping Grounds</i> Act as a person authorised to give an infringement notice under section 23(2) of the Act.
Schedule of authorised and designated officers
Andy White, Coordinator Development Compliance, Urban and Regional Development. Kate Wykstra, Development Compliance Officer, Urban and Regional Development.
Appoint as an authorised officer under section 122(1) of the Food Act 2008 with authority to exercise the following powers under the Act –
(a) instigate prosecutions
Schedule of authorised and designated officers
Environmental Health Officers
Malou Bullicer, Assistant Environmental Health Technical Officer;
James Hewitt, Environmental Health Technical Officer;
Jason Reid, Environmental Health Officer
Piotr Zenni, Contract Environmental Health Officer
Appoint under section 26 and 27 (5) of the <i>Health Act</i> to be the City's deputies with authority to exercise and discharge the powers and functions of the City under the Act to enter premises and investigate offences.
Appoint as authorised officers under section 122(1) of the <i>Food Act</i> with authority to exercise the powers under the Act to enter premises and investigate offences.
Designate under section 126(13) of the <i>Food Act</i> as designated officers for the purpose of giving infringement notices under section 126(2) of the Act.
Appoint under section 23(11) of the <i>Caravan Parks and Camping Grounds</i> Act as persons authorised to give an infringement notice under section 23(2) of the Act.
Executive Officers
Ken Diehm (Chief Executive Officer) Philip Melling (Director, Development and Community Services) Ross McKim (Director, Infrastructure Services) Robert Davis (Director, Corporate and Commercial Services)
Appointed as Designated Officers pursuant to section 126(13) of the <i>Food Act 2008</i> to carry out functions in respect to Section 126(1), (3), (6), (7) as designated officers for the purposes of extending the period within which a modified penalty the subject of an infringement notice

given under section 126(2) of the Act may be paid or withdrawing such a notice.

Appoint as an authorised officer under section 17(1) of the *Caravan Parks and Camping Grounds Act 1995* purpose of subsection 23(11) of the *Caravan Parks and Camping Grounds 1995* to act as persons authorised for the purposes of subsection (3), (5) and (7) extending the period within which a modified penalty the subject of an infringement notice given under section 23(2) of the Act may be paid or withdrawing such a notice.

Contracted Officers

Justin Hagan, Meat Inspector
 Deon Hagan, Meat inspector
 Paul Boardman, Meat Inspector
 Michael Smith, Meat Inspector
 Michael Caporn, Meat Inspector

Appoint as an authorised officer under section 122 (1) of the *Food Act* with authority to inspect ante mortem and post mortem meat carcasses and use approved brand only at premises trading as Hagan Bros Abattoir, 35528 Brand Highway, Greenough.

CARRIED 14/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed.

DCS287 MEMBERSHIP OF PUBLIC ART ADVISORY COMMITTEE

AGENDA REFERENCE:	D-16-36220
AUTHOR:	S Davidson, Community Development Officer
EXECUTIVE:	P Melling, Director Development & Community Services
DATE OF REPORT:	2 June 2016
FILE REFERENCE:	RC/8/0011
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to seek a Council resolution on the appointment of a community member to the Public Arts Advisory Committee.

EXECUTIVE RECOMMENDATION;

That Council by Simple Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to:

1. APPOINT Adeline Turner to fill one Community Member vacancy on the Public Arts Advisory Committee; and
2. NOTE the appointment period commences immediately and expires June 2018.

PROPONENT:

The proponent is the Public Arts Advisory Committee.

BACKGROUND:

The Public Arts Advisory Committee is an advisory committee of Council. The Committee includes three Councillors (Cr Douglas, Cr McIlwaine, and Cr Reymond), three Arts Organisation representatives, one each from the Geraldton Regional Gallery, Yamaji Arts and the Arts & Cultural Development Council of Geraldton and three Community Member positions (one of which is currently vacant). City staff members attend the meetings as required as ex-officio members.

A vacancy exists due to a previous resignation and was advertised in the Geraldton Guardian, as well as via the Arts and Cultural Development Council and the City's website.

Two applications were received and considered by the Committee who unanimously supported the appointment of Adeline Turner on the grounds that the applicant has the necessary skills, expertise and interest to assist the Committee's purposes. (See the minutes of the Public Arts Advisory Committee meeting held on 6 April 2016 in the Reports to be Received DCS 278.)

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:**Economic:**

There are no economic impacts.

Social:

Community representation on the Committee does result in greater alignment of public art initiatives with the community's desired social outcomes.

Environmental:

There are no environmental impacts.

Cultural & Heritage:

Community representation on the Committee does result in greater alignment of public art initiatives with the community's desired arts, creative and cultural outcomes.

RELEVANT PRECEDENTS:

Council frequently appoints community members to Committees of Council on the Committee's recommendation.

COMMUNITY/COUNCILLOR CONSULTATION:

Cr Douglas, Cr McIlwaine and Cr Reymond are the Councillor representatives on the Public Arts Advisory Committee, and as such have been involved in the review of applications and Committee decision making processes.

The vacancy was advertised in the Geraldton Guardian, as well as via the Arts and Cultural Development Council and the City's website.

LEGISLATIVE/POLICY IMPLICATIONS:

There are no legislative or policy implications.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Title: Governance	Community Engagement
Strategy 5.1.2	Promoting community involvement in decision making so it is collaborative and transparent.

REGIONAL OUTCOMES:

Public art enhances the City of Greater Geraldton's profile as the Regional Capital.

RISK MANAGEMENT

The Public Arts Advisory Committee is a well-established Committee of Council which operates within the parameters established by Council. There is no identified risk in progressing the Committee recommendation. Not adopting the recommendation of the Committee carries a risk of alienating the Committee.

ALTERNATIVE OPTIONS CONSIDERED

The Public Arts Advisory Committee is an established Committee of Council. The Committee unanimously supports the appointment of Adeline Turner on the grounds of her broad range of expertise and will be valuable for the Committee's purposes. The Executive Recommendation reflects the Committee's resolution. No other options were considered.

COUNCIL DECISION**MOVED CR DOUGLAS, SECONDED CR MCILWAIN**

That Council by Simple Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to:

- 1. APPOINT Adeline Turner to fill one Community Member vacancy on the Public Arts Advisory Committee; and**
- 2. NOTE the appointment period commences immediately and expires June 2018**

CARRIED 14/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed.

DCS288 LEASE – TOWNS FOOTBALL CLUB GERALDTON INC. AND THE GERALDTON SQUASH RACKETS ASSOCIATION (INC)

AGENDA REFERENCE:	D-16-37295
AUTHOR:	A Eastough, Acquisitions & Disposals Officer
EXECUTIVE:	P Melling, Director Development & Community Services
DATE OF REPORT:	7 June 2016
FILE REFERENCE:	R35843
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council's consent to enter into a 21 year lease agreement with Towns Football Club Geraldton (Inc.) and The Geraldton Squash Rackets Association (Inc) for portion of Reserve 35843.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 3.58 of the Local Government Act RESOLVES to:

1. TRANSFER that portion of the building asset identified as;
 - a. Towns Football Clubhouse to the Towns Football Club Geraldton (Inc.);
 - b. The Geraldton Squash Rackets Association (Inc.);
2. MAKE the determination to;
 - a. enter into a new land lease agreement with Towns Football Club Geraldton (Inc.) for portion of Reserve 35841;
 - b. enter into a new land lease agreement with The Geraldton Squash Rackets Association (Inc.) for portion of Reserve 35841;
3. SET the conditions as follows;
 - a. enter into a 21 year lease agreement commencing 1 July 2016;
 - b. commence the lease fee in line with the City of Greater Geraldton Schedule of Fees and Charges reviewed annually;
 - c. to be in accordance with the principles of Council Policy CP049 Community Group Land Lease/Licence Policy;
4. MAKE the determination subject to consent from the Minister for Lands; and
5. THE lessees being responsible for separately paying;
 - a. relevant building insurance and other insurances;
 - b. all applicable rates, taxes and other utilities including but not limited to, power, water consumption, telephone; and
 - c. legal and survey expenses associated with the preparation, execution and registration of the lease.

PROponent:

The proponent is Towns Football Club Geraldton (Inc.) and The Geraldton Squash Rackets Association (Inc.).

BACKGROUND:

Towns Football Club Geraldton occupies around two thirds and the Geraldton Squash Rackets Association one third of the former Geraldton Sportsman's Club located at Wonthella Oval. In 1983 the Geraldton Sportsman's Club Committee entered into a loan agreement with the former City of Geraldton for a self-supporting loan of \$300,000 for the club house. The loan plus interest was for a term of 20 years commencing 1 July 1979. At that time the Sportsman's Club comprised of a variety of individual clubs such as La Fiamma Soccer Club, Towns Football Club Geraldton and The Geraldton Squash Rackets Association.

In 1995 the Geraldton Sportsman's Club was experiencing financial difficulty and was unable to meet their loan commitments. The Geraldton Sportsman's Club Committee approached Council and asked that the building be taken over as a City asset which was agreed to.

In the same year Towns Football Club (a long standing member of the Sportsman's Club) entered into a lease agreement with the former City of Geraldton for the building. In the lease agreement Towns Football Club agreed to pay the lease fee of \$20,000 per annum (plus CPI after the first five years) for the outstanding debt left over from the Geraldton Sportsman's Club. The debt was finalised in December 1999.

In March 2009 it was identified that Towns Football Club Geraldton was still paying the high lease fee to the City. Consequently, the lease fee was reviewed by Council and amended to a peppercorn rent. It was resolved at the same Council meeting that The Geraldton Squash Rackets Association (Inc.) would afford the same protection of their assets for the term of their lease by establishing the lease fee at 1/3 peppercorn.

As it stands, both the current lease and sub-lease are due to expire on 30 June 2016. The current documents are not in accordance with the principles of Council Policy 049 Community Group Land/Leasing Policy. Under the current lease and sub-lease arrangements the City remains responsible for shared maintenance of the building.

City staff have recently been in consultation with both clubs and as a result The Geraldton Squash Rackets Association and Towns Football Club Geraldton have formally indicated that they prefer to formalise a separate lease agreement with the City of Greater Geraldton.



Above is an indicative plan of the division of the building for each club.

Please note this is for information only, not the final survey which is yet to be finalised at the time of this report.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

There are no economic impacts.

Social:

The recent Sporting Club Facilities Review places Wonthella Oval as a Tier 1 facility. Towns Football Club and The Geraldton Squash Rackets Association provides a strong social and sporting culture for members and the community.

Environmental:

There are no environmental impacts with this proposal as the Clubs are both well-established on that portion of the Reserve.

Cultural & Heritage:

There are no cultural or heritage impacts.

RELEVANT PRECEDENTS:

The City leases portions of Crown Reserves and freehold land to community organisations for a variety of recreational purposes.

COMMUNITY/COUNCILLOR CONSULTATION:

Staff have been in consultation with The Geraldton Squash Rackets Association (Inc.) and the Towns Football Club Geraldton (Inc.).

LEGISLATIVE/POLICY IMPLICATIONS:

Section 3.58 of the Local Government Act 1995 details the process for “disposing” (in this case leasing) of property. Regulation 30 of the Local Government Functions and General Regulations describes dispositions of property excluded from Section 3.58 of the Local Government Act 1995 for recreational, sporting and other like nature organisations.

CP049 Community Group Land Lease/Licence Policy details the process for the leasing of Crown Land to Community Groups.

FINANCIAL AND RESOURCE IMPLICATIONS:

The lease fee is set by the City of Greater Geraldton Schedule of Fees and Charges adopted by Council and reviewed annually. The commencement lease fee for 2016/17 \$391.65 per annum inclusive of GST.

INTEGRATED PLANNING LINKS:

Title: Social	Sport and Recreation
Strategy 3.1.1	Supporting the strong sporting culture that has shaped Greater Geraldton’s identity and lifestyle.

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT:

There are no identified risk management issues with this report.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS:

To enter into a lease agreement under the previous conditions would not be consistent with the principles of CP049 Community Group Land Lease/Licence Policy or equitable to other community and sporting groups. Therefore, this option was dismissed.

Cr N Colliver declared an impartiality interest in item DCS288 Lease – Towns Football Club Inc. and the Geraldton Squash Rackets Association Inc. as she is a member of the Towns Football Club, and remained in Chambers.

COUNCIL DECISION

MOVED CR TANTI, SECONDED CR GRAHAM

That Council by Simple Majority pursuant to Section 3.58 of the Local Government Act RESOLVES to:

1. **TRANSFER** that portion of the building asset identified as;
 - a. Towns Football Clubhouse to the Towns Football Club Geraldton (Inc.);
 - b. The Geraldton Squash Rackets Association (Inc.);
2. **MAKE** the determination to;
 - a. enter into a new land lease agreement with Towns Football Club Geraldton (Inc.) for portion of Reserve 35841;
 - b. enter into a new land lease agreement with The Geraldton Squash Rackets Association (Inc.) for portion of Reserve 35841;
3. **SET** the conditions as follows;
 - a. enter into a 21 year lease agreement commencing 1 July 2016;
 - b. commence the lease fee in line with the City of Greater Geraldton Schedule of Fees and Charges reviewed annually;
 - c. to be in accordance with the principles of Council Policy CP049 Community Group Land Lease/Licence Policy;
4. **MAKE** the determination subject to consent from the Minister for Lands; and
5. **THE** lessees being responsible for separately paying;
 - a. relevant building insurance and other insurances;
 - b. all applicable rates, taxes and other utilities including but not limited to, power, water consumption, telephone; and
 - c. legal and survey expenses associated with the preparation, execution and registration of the lease.

CARRIED 14/0

5:55:52 PM

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	YES
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. McIlwaine	YES
Cr. Freer	YES

Cr. Colliver	YES
Cr. Caudwell	YES
Cr. Thomas	YES

12 REPORTS OF CORPORATE & COMMERCIAL SERVICES

CCS188	PROVISION OF FAMILY DAY CARE SERVICES IN MULLEWA
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AGENDA REFERENCE:	D-16-33692
AUTHOR:	A Williams, A/Coordinator Family & Children Services
EXECUTIVE:	B Davis, Director Corporate & Commercial Services
DATE OF REPORT:	14 June 2016
FILE REFERENCE:	GO/6/0012-04
ATTACHMENTS:	No

EXECUTIVE SUMMARY:

This report seeks a Council decision to include the Mullewa Family Day Care Centre in the proposal from the Geraldton Regional Community Education Centre (GRCEC) and Ngala in regards to the provision of Family Day Care Service in the Mullewa district.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 3.58 of the Local Government Act RESOLVES to:

1. AGREE to include the Mullewa Family Day Care facility in the formal agreement with Ngala;
2. LEASE Reserve 23830 being Lot 202 Jose Street, Mullewa to Ngala;
3. SET the conditions as follows:
 - a. Enter into a five (5) year lease agreement with one further term option of five (5) years;
 - b. Commence the lease fee at \$1.00 per annum including GST;
 - c. Written consent from the Minister for Lands;
4. THE lessee will be responsible for:
 - a. All maintenance to the buildings and grounds with the exception of structural building maintenance;
 - b. Any improvements to the facilities provided that all relevant Building and/or Town Planning approvals are granted;
 - c. Separately paying all applicable rates, taxes and utilities; and
 - d. All legal and administrative expenses associated with the preparation, execution and registration of the lease.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

Council at its meeting on 23 February 2016 resolved to relinquish the Approved Provider status for Family Day Care Services and negotiate a formal agreement with Ngala for the transfer of these services. The Council report included the Whitfield FDC, Eighth Street FDC and Paringa FDC but omitted the Mullewa FDC.

This report seeks to include the Mullewa FDC in the negotiations with Ngala.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

There are no economic impacts.

Social:

Family Day Care provides the opportunity for families who want a quality care and learning environment for their children but may prefer small group care where children can be provided with individual attention and siblings can be cared for together.

Environmental:

There are no environmental impacts.

Cultural & Heritage:

There are no cultural or heritage impacts.

RELEVANT PRECEDENTS:

Council resolved on 23 February 2016 to negotiate the Family Day Care Services within the region of Greater Geraldton with Ngala.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 3.58 of the Local Government Act 1995 details the process for “disposing” (in this case leasing) of property. Regulation 30 of the Local Government Functions and General Regulations describes dispositions of property excluded from Section 3.58 of the Local Government Act 1995 for objects of which are charitable, benevolent, religious, cultural, educational, recreational, sporting and other like nature.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no financial or resource implications.

INTEGRATED PLANNING LINKS:

Title: Social	Family and Children
Strategy 3.3.1	Providing accessible childcare services to accommodate the growing needs of our community.

REGIONAL OUTCOMES:

The Mullewa Family Day Care provides an essential service to the community of Mullewa by providing the only childcare facility within the district.

RISK MANAGEMENT

Should Council adopt the Executive Recommendation, the City would no longer have any influence on the availability, quality or cost of Family Day Care in

Mullewa. However, given the long standing reputation of both GRCEC and Ngala it is unlikely the service standard would deteriorate.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

Council has resolved to relinquish its Approved Provider status as a Family Day Care provider and by doing so would be unable to continue to operate the Mullewa FDC facility placing the continuation of a childcare service for the Mullewa community in jeopardy.

Therefore, no other options are supported.

COUNCIL DECISION

MOVED CR CRITCH, SECONDED CR MCILWAINE

That Council by Simple Majority pursuant to Section 3.58 of the Local Government Act **RESOLVES** to:

1. **AGREE** to include the Mullewa Family Day Care facility in the formal agreement with Ngala;
2. **LEASE** Reserve 23830 being Lot 202 Jose Street, Mullewa to Ngala;
3. **SET** the conditions as follows:
 - a. Enter into a five (5) year lease agreement with one further term option of five (5) years;
 - b. Commence the lease fee at \$1.00 per annum including GST;
 - c. Written consent from the Minister for Lands;
4. **THE** lessee will be responsible for:
 - a. All maintenance to the buildings and grounds with the exception of structural building maintenance;
 - b. Any improvements to the facilities provided that all relevant Building and/or Town Planning approvals are granted;
 - c. Separately paying all applicable rates, taxes and utilities; and
 - d. All legal and administrative expenses associated with the preparation, execution and registration of the lease

CARRIED 14/0

5:57:51 PM

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	YES
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. Mcllwaine	YES
Cr. Freer	YES
Cr. Colliver	YES

Cr. Caudwell	YES
Cr. Thomas	YES

CCS189 CITY OF GREATER GERALDTON MEETING PROCEDURES AMENDMENT LOCAL LAW 2016

AGENDA REFERENCE:	D-16-36022
AUTHOR:	M Adam, Coordinator Governance
EXECUTIVE:	B Davis, Director Corporate and Commercial Services
DATE OF REPORT:	31 May 2016
FILE REFERENCE:	LE/5/0001
ATTACHMENTS:	Yes (x1) A. City of Greater Geraldton Meeting Procedures Amendment Local Law 2016

EXECUTIVE SUMMARY:

The proposed City of Greater Geraldton Meeting Procedures Amendment Local Law 2016 provided as attachment CCS189 is for consideration by Council to give notice of the purpose and effect of the local law and to seek approval to advertise for public consultation.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 3.12 of the Local Government Act RESOLVES to:

1. GIVE NOTICE of the intention to make the City of Greater Geraldton Meeting Procedures Amendment Local Law 2016, the purpose and effect of which is as follows:
 - a. Purpose: To Amend certain provisions within the *City of Greater Geraldton Meeting Procedures Local Law 2011*;
 - b. Effect: To provide for the orderly and efficient conduct of meetings at the City of Greater Geraldton; and
2. APPROVE the advertising of the City of Greater Geraldton Meeting Procedures Amendment Local Law 2016, in order to seek public comment.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The City of Greater Geraldton Meeting Procedures Local Law 2011 was adopted with the establishment of the City of Greater Geraldton (effective 1 July 2011) and gazetted on 16 February 2012. Council has recently reviewed the Meeting Procedures Local Law 2011 and seeks to amend a number of provisions in order to meet current local requirements whilst complying with legislative process.

Following Elected Member discussion and subsequent training held by WALGA, there was a request to address issues surrounding meeting procedures to ensure that council meetings flowed more effectively.

Pursuant to section 3.12 of the *Local Government Act 1995*:

3.12. Procedure for making local laws

- (1) *In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
 - (2) *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
 - (3) *The local government is to —*
 - (a) *give Statewide public notice stating that —*
 - (i) *the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and*
 - (ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*

and

 - (b) *as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and*
 - (c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
 - (3a) *A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.*
 - (4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*
- * Absolute majority required.*
- (5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*
 - (6) *After the local law has been published in the Gazette the local government is to give local public notice —*
 - (a) *stating the title of the local law; and*
 - (b) *summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - (c) *advising that copies of the local law may be inspected or obtained from the local government's office.*
 - (7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*
 - (8) *In this section —*
-

making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

Pursuant to regulation 3 *Local Government (Functions and General) Regulations* 1996:

(3) Prescribed manner of giving notice of purpose and effect of proposed local law (Act s. 3.12(2))

For the purpose of section 3.12 of the Act, the person presiding at a council meeting is to give notice of the purpose and effect of a local law by ensuring that —

- (a) the purpose and effect of the proposed local law is included in the agenda for that meeting; and
- (b) the minutes of the meeting of the council include the purpose and effect of the proposed local law.

The purpose and effect of the City of Greater Geraldton Meeting Procedures Amendment Local Law 2016 is as follows:

Purpose

The purpose of the Meeting Procedures Amendment Local Law 2016 is to amend certain provisions within the City of Greater Geraldton Meeting Procedures Local Law 2011.

Effect

To provide for the orderly and efficient conduct of meetings at the City of Greater Geraldton.

Proposed amendments

The proposed Meeting Procedures Amendment Local Law 2016 (attachment CCS189.) incorporates changes to the following sections:

Meeting Procedures Local Law 2011 (Amended sections)	Meeting Procedures Amendment Local Law 2016 (Amendments)
<p>4.2(1) Order of business</p> <ol style="list-style-type: none"> 1. Acknowledgement of Country 2. Declaration of Opening <p>13. Motions of which previous notice has been given</p>	<p>4.2 (1) Order of business</p> <ol style="list-style-type: none"> 1. Declaration of Opening 2. Acknowledgement of Country <p>13. Motions by members of which previous notice has been given</p>
<p>4.5 Motions of which previous notice has been given</p>	<p>4.5 Motions <u>by members</u> of which previous notice has been given</p>
<p>5.7 Other procedures for question time for the public (1)</p> <ol style="list-style-type: none"> (a) Provide a copy of his or her questions at least 15 minutes prior to the commencement of the meeting; (b) first state their name and address; (b) direct the question to the presiding member; (c) ask the question briefly and concisely; (d) limit any preamble to matters directly relevant to the question; (e) ensure that the question is not accompanied by any expression of opinion, statement of fact or other comment, except where necessary to explain the question; 	<p>5.7 Other procedures for question time for the public (1)</p> <ol style="list-style-type: none"> (a) be in attendance at the meeting; b) first state their name and address; (c) direct the question to the presiding member; (d) ask the question briefly and concisely; (e) limit any preamble to matters directly relevant to the question; and (f) ensure that the question is not accompanied by any expression of opinion, statement of fact or other comment, except where necessary to explain the question;

<p>(f) each member of the public with a question is entitled to ask up to 3 questions before other members of the public will be invited to ask their questions;</p> <p>(g) when a member of the public gives written notice of a question, the presiding member may determine that the question is to be responded to as normal business correspondence.</p> <p>(h) a question may be taken on notice by the Council for a later response</p>	<p>(g) each member of the public with a question is entitled to ask up to 3 questions before other members of the public will be invited to ask their questions;</p> <p>(h) where a member of the public seeks a written response to their questions to be tabled at a meeting, the member of the public must submit their questions to Council by no later than 12 noon on the day prior to the meeting date of which the response is to be tabled;</p> <p>(i) where a member of the public submits their questions after 12 noon on the day prior to the meeting date of which the response is to be tabled, a written response may be provided at the discretion of the presiding member;</p> <p>(j) where a member of the public submits a written question after 12 noon the day prior to the meeting at which they are to be tabled, a verbal response may be provided at the meeting;</p> <p>(k) a member of the public may ask questions without notice at a meeting, provided they present a written copy of their questions to Council prior to the commencement of the meeting</p>
<p>5.7 Other procedures for question time for the public (2) When a question is taken on notice the CEO is to ensure that –</p> <p>(a) a response is given to the member of the public in writing; and</p> <p>(b) a summary of the response is included in the agenda of the next meeting of the Council</p>	<p>5.7 Other procedures for question time for the public (2) Where a question relating to a matter in which a relevant person has an interest is directed to the relevant person, the relevant person is to –</p> <p>(a) declare that her or she has an interest in the matter; and</p> <p>(b) allow another person to respond to the question</p>
<p>5.7 Other procedures for question time for the public (3) Where a question relating to a matter in which a relevant person has an interest is directed to the relevant person, the relevant person is to –</p> <p>(a) declare that her or she has an interest in the matter; and</p> <p>(b) allow another person to respond to the question</p>	<p>5.7 Other procedures for question time for the public (3) A response to a question:</p> <p>(a) is to be brief and concise; and</p> <p>(b) is not to be the subject of any discussion, except that if in the opinion of a member, false information or any adverse reflection is contained in any question asked or comments made by a member of the public, then (through the presiding member) the member may correct or clarify the matter.</p>
<p>5.7 Other procedures for question time for the public (4) A response to a question-</p> <p>(a) is to be brief and concise; and</p> <p>(b) is not to be the subject of any discussion, except that if in the opinion of a member, false information or any adverse reflection is contained in any question asked or comments made by a member of the public, then (through the presiding member) the member may correct or clarify the matter.</p>	<p>5.7 Other procedures for question time for the public (4) Where an answer to a question is given at a meeting , a summary of the question and the answer is to be included in the minutes.</p>
<p>5.7 Other procedures for question time for the public (5) The presiding member may decide that a public question shall not be responded to where-</p> <p>(a) the same or similar question was asked at a previous meeting, a response was provided and the member of the public is directed to the minutes of the meeting at which the response was provided;</p> <p>(b) the member of the public uses public question time to make a statement, provided that the presiding member has taken all reasonable steps to assist</p>	<p>5.7 Other procedures for question time for the public (5) A question may be taken on notice by the presiding member for a later response.</p>

<p><i>the member of the public to phrase the statement as a question; or</i></p> <p><i>(c) the member of the public asks a question that is offensive or defamatory in nature, provided that the presiding member has taken all reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory.</i></p>	
<p>5.7 Other procedures for question time for the public (6) A member of the public shall have 2 minutes to submit a question</p>	<p>5.7 Other procedures for question time for the public (6) When a question is taken on notice the CEO is to ensure that:</p> <p>(a) a response is given to the member of the public in writing; and</p> <p>(b) a summary of the response is included in the agenda of the next meeting of the Council.</p>
<p>5.7 Other procedures for question time for the public (7) The Council by resolution may agree to extend public question time.</p>	<p>5.7 Other procedures for question time for the public (7) The presiding member may decide that a public question shall not be responded to where-</p> <p>(a) the same or similar question was asked at a previous meeting, a response was provided and the member of the public is directed to the minutes of the meeting at which the response was provided;</p> <p>(b) the member of the public uses public question time to make a statement, provided that the presiding member has taken all reasonable steps to assist the member of the public to phrase the statement as a question; or</p> <p>(c) the member of the public asks a question that is offensive or defamatory in nature, provided that the presiding member has taken all reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory.</p>
<p>5.7 Other procedures for question time for the public (8) Where an answer to a question is given at a meeting, a summary of the question and the answer is to be included in the minutes.</p>	<p>5.7 Other procedures for question time for the public (8) The maximum amount of time to be set aside for public question time is to be 15 minutes</p>
	<p>5.7 Other procedures for question time for the public (9) The presiding member has the discretion to extend public question time to ensure that all members of the public who wish to ask questions are able to do so.</p>
	<p>5.7 Other procedures for question time for the public (10) Questions relevant to items on the agenda of the meeting at which they are asked will be given priority over those not relating to items on the agenda.</p>
<p>5.17 Prevention of disturbance (4) A person shall ensure that his or her mobile telephone or audible pager is not switched on or used during any meeting of the Council.</p>	<p>5.17 Prevention of disturbance (4) – Deleted-</p>
<p>5.17 Prevention of disturbance (5)- (8)</p>	<p>5.17 Prevention of disturbance (4) – (7) Clauses renumbered</p>
<p>Part 6 Questions by Members (1) Members may ask questions relating to an item on the agenda or on matters related to the good governance of persons in the district.</p>	<p>Part 6 Questions by Members (1) Members may ask questions relating to an item on the agenda or on matters related to the good government of persons in the district.</p>
<p>Part 6 Questions by Members (2) At any time during the debate on a motion before the motion is put, a member may ask a question and, with</p>	<p>Part 6 Questions by Members (2) At any time during the debate on a motion, but before the motion is put, a member may ask a question that</p>

<i>the consent of the presiding member , may ask one or more further questions.</i>	relates to the motion and, with the consent of the presiding member, may ask one or more further questions provided they relate to the motion being debated.
	Part 6 Questions by Members (3) A member may ask a question not the subject of a debate or not relevant to any item on the agenda, provided it relates to the good government of people in the district, at the part of the meeting set aside for questions from Elected Members.
Part 6 Questions by Members (3) to (6)	Part 6 Questions by Members (4) to (7) Sub paragraphs renumbered
9.5 Order of call in debate (e) a speaker against the motion; (f) a speaker for the motion; (g) other speakers against and for the motion, alternating where possible; and (h) mover takes right of reply which closes debate.	9.5 Order of call in debate (e) the presiding member to call for any questions from members on the motion; (f) a speaker against the motion; (g) a speaker for the motion; (h) the presiding member to continue calling for speakers against and for the motion in alternating order until there are no more speakers either for or against; (i) mover takes right of reply which closes debate.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

There are no economic impacts.

Social:

There are no social impacts.

Environmental:

There are no environmental impacts.

Cultural & Heritage:

There are no cultural or heritage impacts.

RELEVANT PRECEDENTS:

The Meeting Procedures Local Law 2011 was made upon the establishment of the City of Greater Geraldton (effective 1 July 2011), following the repeal of the Geraldton-Greenough Standing Orders Local Law 2007. It was adopted by Council on 17 November 2011 and published in the Government Gazette on 16 February 2012.

COMMUNITY/COUNCILLOR CONSULTATION:

Section 3.12(5) of the *Local Government Act 1995* requires the City to give state wide notice for a period of 42 clear days from the date of publication of the advertisement inviting submissions on the proposed local law. As part of the consultation process the draft Meeting Procedures Amendment Local Law 2016 will be referred to the Department of Local Government and Communities for comment.

LEGISLATIVE/POLICY IMPLICATIONS:

Local Laws are made pursuant to *The Local Government Act 1995 section 3.12 Procedure for making Local Laws*

FINANCIAL AND RESOURCE IMPLICATIONS:

Costs will be incurred for advertising state wide public notice of the proposed Local Law and publication in the Government Gazette.

INTEGRATED PLANNING LINKS:

Title: Governance	Planning and Policy
Strategy 5.2.7	Ensuring efficient and effective delivery of service

REGIONAL OUTCOMES:

The provision of an effective Meeting Procedures Local Law will facilitate effective consultation, discussion and decision making at Council, Committee and Electors meetings within the City of Greater Geraldton and enhance the City as a Regional Centre.

RISK MANAGEMENT

It is a requirement of the *Local Government Act 1995* s 3.12 that the presiding member at a Council Meeting is to give notice to the meeting of the purpose and effect of a proposed local law in the prescribed manner and endorse State-wide advertising to seek public comment.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

There were no alternative options considered by City Officers.

COUNCIL DECISION**MOVED CR HALL, SECONDED CR DOUGLAS**

That Council by Simple Majority pursuant to Section 3.12 of the Local Government Act **RESOLVES** to:

1. **GIVE NOTICE** of the intention to make the City of Greater Geraldton Meeting Procedures Amendment Local Law 2016, the purpose and effect of which is as follows:
 - a. Purpose: To Amend certain provisions within the *City of Greater Geraldton Meeting Procedures Local Law 2011*;
 - b. Effect: To provide for the orderly and efficient conduct of meetings at the City of Greater Geraldton; and
2. **APPROVE** the advertising of the City of Greater Geraldton Meeting Procedures Amendment Local Law 2016, in order to seek public comment.

CARRIED 14/0

5:59:22 PM

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	YES
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. McIlwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	YES
Cr. Thomas	YES

CCS190 MONTHLY MANAGEMENT REPORT TO 31 MAY 2016
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AGENDA REFERENCE:	D-16-37603
AUTHOR:	M Jones, Financial Business Planner
EXECUTIVE:	B Davis, Director Corporate and Commercial Services
DATE OF REPORT:	10 June 2016
FILE REFERENCE:	FM/17/0001
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes (x1) A. Monthly Management Report to 31 May 2016

EXECUTIVE SUMMARY:

The attached financial reports provide a comprehensive report on the City's finances to 31 May 2016. The statements include no matters of variance considered to be of concern.

EXECUTIVE RECOMMENDATION;

That Council by Simple Majority pursuant to Regulation 34 of the Local Government (Financial Management) Regulations 1996 RESOLVES to:

1. RECEIVE the May 2016 monthly financial activity statements as attached.

PROPONENT:

The proponent is the City of Greater Geraldton.

BACKGROUND:

The financial position at the end of May is detailed in the attached report and summarised as follows relative to year-to-date budget expectations:

Operating Income	\$441,479	0.6%	Positive Variance
Operating Expenditure	\$68,316	-0.1%	Negative Variance
Net Operating	\$373,163		
Capital Expenditure	\$2,940,187	6.7%	Positive Variance
Capital Revenue	\$1,031,601	-5.0%	Negative Variance
Cash at Bank – Municipal	\$12,795,563		
Cash at Bank – Reserve	\$11,847,519		
Total Funds Invested	\$6,935,660		
Net Rates Collected	98.31%		

The attached report provides explanatory notes for items greater than 10% or \$50,000. This commentary provides Council with an overall understanding of how the finances are progressing in relation to the revised budget.

The financial position represented in the May financials shows a positive variance of \$373,163 in the net operating result.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

There are no economic impacts.

Social:

There are no social impacts.

Environmental:

There are no environmental impacts.

Cultural & Heritage:

There are no cultural or heritage impacts.

RELEVANT PRECEDENTS:

Council is provided with financial reports each month.

COMMUNITY/COUNCILLOR CONSULTATION:

There has been no community/councillor consultation.

LEGISLATIVE/POLICY IMPLICATIONS:

Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1996 require that as a minimum Council is to receive a Statement of Financial Activity.

FINANCIAL AND RESOURCE IMPLICATIONS:

Any issues in relation to expenditure and revenue allocations or variance trends are identified and addressed each month.

INTEGRATED PLANNING LINKS:

Title: Governance	Planning and Policy
Strategy 5.2.7	Ensuring efficient and effective delivery of service

REGIONAL OUTCOMES:

There are no impacts to regional outcomes.

RISK MANAGEMENT

There are no risks to be considered.

ALTERNATIVE OPTIONS CONSIDERED

There are no alternative options to consider.

COUNCIL DECISION

MOVED CR ELLIS, SECONDED CR CAUDWELL

That Council by Simple Majority pursuant to Regulation 34 of the Local Government (Financial Management) Regulations 1996 RESOLVES to:

- 1. RECEIVE the May 2016 monthly financial activity statements as attached**

CARRIED 14/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed.

13 REPORTS OF INFRASTRUCTURE SERVICES

IS125	EVERLASTING PARTNERSHIP – NAMING RIGHTS RED FM
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AGENDA REFERENCE:	D-16-37503
AUTHOR:	J Kopplhuber, Communications Officer - Engagement
EXECUTIVE:	R McKim, Director Infrastructure Services
DATE OF REPORT:	30 May 2016
FILE REFERENCE:	GO/15/0003
APPLICANT / PROPONENT:	RED FM
ATTACHMENTS:	Yes (x1) A. Policy CP062

EXECUTIVE SUMMARY:

The purpose of this report is to seek Council endorsement for the Naming Rights to the Multi User Facility Outdoor Event Space for a three-year period for RED FM a regional Western Australia media (radio) business.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 5.2 of the Local Government Act RESOLVES to:

1. ENDORSE the naming of the Multi User Facility Outdoor Event Space to RED FM; and
2. DELEGATE Authority to the Chief Executive Officer to negotiate the placement of predominate signage with RED FM.

PROponent:

The proponent is RED FM.

BACKGROUND:

The Everlasting Corporate Partnership initiative was endorsed by Council at the Ordinary Meeting of Council on 16 December 2014. In December 2015 an Expression of Interest (EOI) regarding the opportunity to secure Naming Rights to a number of City facilities was offered to the Greater Geraldton and Midwest business community. RED FM has since responded to the EOI and contacted the City to express their interest in the Naming Rights to the Multi User Facility Outdoor Event Space for the next three years as an Everlasting Partnership sponsor. The Multi User Facility Outdoor Event Space is scheduled to be opened in late June 2016.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

The Everlasting Partnership Agreement for naming rights for the Multi User Facility Outdoor Event Space is valued at \$20,000 per annum for a period of three years totalling \$60,000 over three years. Consistent with policy CP062, any revenue received from a corporate partner would result in a reduction in

the City's operational budget. The revenue received from this Partnership Agreement would result in a \$20,000 reduction in the City's operational budget for each year of the agreement.

Naming rights to include signage displaying the name on the Outdoor Event Space to be placed in a prominent area (i.e. across the front of the stage or adjacent freestanding signage).

Social:

The completion of the Multi User Facility Outdoor Event Space provides the City and community with a premier events venue with capacity for 5000 people. Partnering with a well-known regional radio station in the naming of the facility will foster recognition for the space and generate community ownership of the Event space.

Environmental:

There are no environmental impacts.

Cultural & Heritage:

Over the three-year period of the agreement the revenue raised could be used to support/fund additional cultural events.

RELEVANT PRECEDENTS:

There are no relevant precedents.

COMMUNITY/COUNCILLOR CONSULTATION:

The Communications Officer (Engagement), met with RED FM Station Manager Jason McCarthy to discuss naming rights to the Multi User Facility Outdoor Event Space. RED FM expressed an interest in partnering over a multi-year period providing \$20,000 cash per annum over three years including first right of refusal when this three-year period ends. This would qualify RED FM for a Diamond level sponsorship with the City.

LEGISLATIVE/POLICY IMPLICATIONS:

Consistent with policy CP062.

FINANCIAL AND RESOURCE IMPLICATIONS:

Consistent with policy CP062, the Multi User Facility Outdoor Event Stage is included in the 2016/17, 2017/18 and 2018/19 operational budgets. Any revenue received from a corporate partner would result in a reduction of the City's operational budget for that financial year.

Partnering with a regional radio station also has the potential to result in subsequent promotion of events and activities taking place at their named facility.

INTEGRATED PLANNING LINKS:

Title: Culture	Vibrant arts, culture and education
Strategy 1.3.1	Fostering and facilitating art in all its forms

Strategy 1.3.3	Fostering and facilitating community arts and cultural events
Title: Economy	A dynamic, diverse and sustainable economy
Strategy 4.3.1	Revitalising the CBD through economic, social and cultural vibrancy
Strategy 4.1.5	Developing and promoting Greater Geraldton as a preferred cultural destination
Strategy 4.3.4	Supporting economic development initiatives and promotion of the region

REGIONAL OUTCOMES:

RED FM broadcasts to almost 120 towns, mines sites and oil and gas platforms across WA, reaching both fly-in and fly-out workers and those living in remote townships. Targeting 18 - 39 year old listeners, RED FM broadcasts music 24 hrs/day, seven days a week to a potential audience of over 100,000 people. Partnering with a media business will undoubtedly result in subsequent promotion of the new venue, including events and activities taking place to their listeners across the state.

RISK MANAGEMENT

There is a risk that the City or community could receive sponsorship from different radio station to hold an event or different radio station wants to host an event at the Multi User Facility. This would conflict with the facility being named after RED FM. To mitigate this risk, the agreement with RED FM will include a condition which stipulates that although the facility will be named after the media business, with the exception an event precludes the use of the name.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

The opportunity to have Naming Rights to a number of City facilities was offered to the Greater Geraldton and Midwest business community in December 2015. Since the Expression of Interest for Naming Rights was issued, RED FM is the only organisation that has registered interest in Naming Rights for the Multi User Facility Outdoor Event Stage.

COUNCIL DECISION

MOVED CR ELLIS, SECONDED CR FREER

That Council by Simple Majority pursuant to Section 5.2 of the Local Government Act RESOLVES to:

- 1. ENDORSE the naming of the Multi User Facility Outdoor Event Space to RED FM; and**
- 2. DELEGATE Authority to the Chief Executive Officer to negotiate the placement of predominate signage with RED FM.**

CARRIED 14/0
6:06:47 PM

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	YES
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. Mcllwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	YES
Cr. Thomas	YES

IS126	WALGA CONTAINER DEPOSIT SYSTEM
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AGENDA REFERENCE:	D-16-37696
AUTHOR:	R McKim, Director Infrastructure Services
EXECUTIVE:	R McKim, Director Infrastructure Services
DATE OF REPORT:	13 June 2016
FILE REFERENCE:	GO/15/0003
ATTACHMENTS:	Yes (x2) A. WALGA CDS Policy Statement B. WALGA CDS Motion 9.3.5

EXECUTIVE SUMMARY:

The purpose of this report is to request that Council support the position of the Western Australian Local Government Association (WALGA) with respect to the introduction of a Container Deposit System (CDS) and support a motion to this affect at the Annual General Meeting of the Association to be held Wednesday 3 August 2016.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 5.2 of the Local Government Act RESOLVES to:

1. SUPPORT the motion being put forward by the Shire of Dandaragan at the West Australian Local Government Association Conference on Wednesday 3 August 2016 on establishment in WA of a Container Deposit Scheme; and
2. ADVOCATE for the implementation of a Container Deposit Scheme in Western Australia.

PROPONENT:

The City of Greater Geraldton

BACKGROUND:

Cr Graham is the City's representative on the Municipal Waste Advisory Committee (MWAC). In this capacity, Cr Graham has requested that the City Executive consider supporting WALGA's Policy position on a Container Deposit System.

WALGA has been advocating for a CDS to be implemented throughout Western Australia for a number of years. In 2008, WALGA established a Policy Statement in support of Container Deposit Legislation (CDL). CDL has been in place in South Australia since the 1975, which imposed a deposit on a range of beverage containers. The deposit is included in the retail price of the item and refunded when the container is returned to the collection point. While this has been advocated for a number of years by WALGA, it has yet to make it to the political arena for consideration by respective State Governments. WALGA describes the CDS to be "a type of Extended Producer Responsibility Scheme. It may be structured in many different ways but essentially relies on a

recoverable deposit on containers encouraging consumers to return the containers to a retailer or collection centre for recycling for the deposit.”

WALGA’s policy statement suggests that the benefits of a CDS are:

- improvement resource recovery;
- achieving more appropriate sharing of waste management costs;
- litter reduction; and
- increase in community awareness and involvement in waste management.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

The scheme would potentially create an economic advantage for community groups and individuals who collect unwanted containers and return them to the place of purchase.

Social:

A social adjustment would be required from consumers who would like to take advantage of this scheme through collecting their containers and returning them to the place of purchase.

Environmental:

The introduction of such a scheme would have a positive environmental outcome through a reduction in littering in the City and a reduction in the volume of material going to the Meru Landfill.

Cultural & Heritage:

There are no cultural and heritage impacts.

RELEVANT PRECEDENTS:

A container deposit scheme is in existence in South Australia. The New South Wales State Government is currently considering the introduction of CDS.

COMMUNITY/COUNCILLOR CONSULTATION:

The item has been discussed at the June Councillor Concept Forum.

LEGISLATIVE/POLICY IMPLICATIONS:

This item advocates for the appropriate legislation to be introduced, supporting the position of WALGA.

FINANCIAL AND RESOURCE IMPLICATIONS:

There are no immediate financial implications to this item. It should reduce the amount of material going to landfill which will reduce costs.

INTEGRATED PLANNING LINKS:

Title: Environment	Reduce-Reuse-Recycle.
Strategy 2.2.2	Promoting, researching and implementing improved and innovative waste management.

REGIONAL OUTCOMES:

The proposed scheme would be introduced State wide so there is a consistent policy in place across the State.

RISK MANAGEMENT

Support of this proposal would reduce the risk of littering across the City.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

The Council could decide not to support the WALGA policy or to support an alternative scheme.

COUNCIL DECISION**MOVED CR GRAHAM, SECONDED CR MCILWAINE**

That Council by Simple Majority pursuant to Section 5.2 of the Local Government Act **RESOLVES** to:

1. **SUPPORT** the motion being put forward by the Shire of Dandaragan at the West Australian Local Government Association Conference on Wednesday 3 August 2016 on establishment in WA of a Container Deposit Scheme; and
2. **ADVOCATE** for the implementation of a Container Deposit Scheme in Western Australia.

CARRIED 14/0

6:09:07 PM

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	YES
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. McIlwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	YES
Cr. Thomas	YES

IS127	BERESFORD FORESHORE AMENITY COMMUNITY WORKSHOP
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AGENDA REFERENCE:	D-16-37808
AUTHOR:	R McKim, Director Infrastructure Services
EXECUTIVE:	R McKim, Director Infrastructure Services
DATE OF REPORT:	13 June 2016
FILE REFERENCE:	CS/14/0003
ATTACHMENTS:	Yes (x1) A. Beresford Foreshore Community Workshop Report

EXECUTIVE SUMMARY:

This report seeks to provide Council with an update on the Beresford foreshore project as a whole and particularly with relation to the community engagement project undertaken on the amenity aspects of the project.

EXECUTIVE RECOMMENDATION:

That Council by Simple Majority pursuant to Section 5.2 of the Local Government Act RESOLVES to:

1. ENDORSE the attached report resulting from the Beresford Foreshore Community Workshop held on Saturday 14 May 2016; and
2. ENDORSE the use of the workshop report to inform the Beresford Foreshore Amenity design.

PROPONENT:

The City of Greater Geraldton.

BACKGROUND:

At the Ordinary Meeting of Council of 26 June 2012, the Council formally adopted a preferred concept design for the Beresford Foreshore Coastal Protection and Enhancement Project that included amenity and remediation concepts. At the Ordinary Meeting of Council of 27 October 2015, Council made a further determination that included the endorsement of a Concept landscaping design for the purposes of preparing preliminary estimates of costs, and endorsing further consultation with the community regarding the concept landscaping (amenity) design.

Consultation took the form a community workshop, which was held on 14 May 2016. Four weeks prior to the workshop the City conducted the Beresford Foreshore Community Survey. The survey was available either online or in hardcopy at the Civic Centre, Geraldton Regional Library and Aquarena. The survey was responded to by 161 members of the community. Some reoccurring themes in the survey included:

- Widening of pathway for cyclists and non-cyclists;
- Incorporation of shade structures or trees along the entire length of the foreshore;
- Incorporation of benches/seating along the entire length of the Foreshore pathway;
- Inclusion of grassed areas for relaxing and/or family get-togethers;
- Concerns regarding over-commercialise of the Beresford Foreshore;
- Inclusion of a toilet block at the south end of the Foreshore;
- Encouragement of group activities;
- Restriction of noisy activities (i.e. boats or Jet skis);
- Maintaining the views.

The workshop participants were asked to review the amenities list identified through the survey results and identify any further amenities or facilities to be included. The top ten identified amenities requested by the workshop participants are as follows:

1. Improved pathway;
2. More trees/coastal plants;
3. Shaded seating/tables;
4. Shade structures;
5. Rubbish bins/dog poo disposal bins;
6. Disabled access;
7. BBQs;
8. Drink fountains/dog bowls;
9. Beach lookout/boardwalks/fishing jetties;
10. Larger grassed areas.

Overall comments made in the survey suggested the Foreshore be continued for passive recreation use.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

The Beresford project will mitigate the risks of damage to, or loss of over \$55M worth of State and City infrastructure assets, from Beresford Foreshore erosion. The provision of high quality community infrastructure will attract additional residents to the area which has the potential to increase local economic activity.

Social:

The aim of the proposed Beresford Foreshore Amenity Plan is to capture and implement as many of the community's requests and requirements as possible to maximise the social impact of the provided infrastructure.

Environmental:

All works will be undertaken in an environmentally sensitive manner and in accordance with the Environmental Protection Agency requirements.

Cultural & Heritage:

Within the project vicinity are the Geraldton Stock Fence (Bicentennial Heritage Trail) and the site of the Chapman Smelting Works (Municipal Inventory Item 067). Both sites will be considered in the detailed planning of the foreshore amenity.

RELEVANT PRECEDENTS:

The Beresford Foreshore Community Workshop report was undertaken in accordance with previous Council determinations.

COMMUNITY/COUNCILLOR CONSULTATION:

This report details the consultation that has been undertaken with respect to the amenity component of the Beresford Foreshore Coastal Protection and Enhancement Project.

LEGISLATIVE/POLICY IMPLICATIONS:

The project is consistent with State Coastal Planning Policy 2.6 which advocates protection where there is a defined need to preserve the foreshore reserve, public access and public safety, property and infrastructure that is not expendable.

FINANCIAL AND RESOURCE IMPLICATIONS:

The City has allocated \$1.85M towards the implementation of amenity for the Beresford Coastal Protection and Enhancement Project. The City is currently seeking additional funding for the project through the State Government.

INTEGRATED PLANNING LINKS:

Title: Environment	A sustainable built form and natural environment
Strategy 2.1.5	Preserving and managing the coastal environment in three distinct types based on high, moderate and low degrees of human interaction.
Strategy 3.1.2	Encouraging informal recreation through well planned and developed public open spaces, cycle/walk paths and green streetscapes.

REGIONAL OUTCOMES:

The project aligns with the objectives of the Mid West investment Plan 2011-2021.

RISK MANAGEMENT

The basis of this project is to construct rock coastal works that will mitigate the risk to over \$55M worth of infrastructure assets when compared to a 'do nothing' approach. Undertaking community consultation with respect to the amenity component of the project has reduced the risk of not providing infrastructure in keeping with the community's requirements.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

The public consultation project was undertaken in keeping with a previous Council decision. The consultation methods as outlined in the attached report were developed by specialists in this area within current budget limitations.

Cr S Douglas declared an impartiality interest in item IS127 Beresford Foreshore Amenity Community Workshop as his employer has been involved in the funding proposal for Royalties for Regions, and remained in Chambers.

COUNCIL DECISION**MOVED CR DOUGLAS, SECONDED CR HALL**

That Council by Simple Majority pursuant to Section 5.2 of the Local Government Act **RESOLVES** to:

1. **RECEIVE** the attached report resulting from the Beresford Foreshore Community Workshop held on Saturday 14 May 2016; and
2. **ENDORSE** the use of the workshop report to inform the Beresford Foreshore Amenity design.

CARRIED 14/0

6:12:49 PM

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	YES
Cr. Ellis	YES
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	YES
Cr. Tanti	YES
Cr. Reymond	YES
Cr. Mcllwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	YES
Cr. Thomas	YES

REASON FOR VARIATION TO THE EXECUTIVE RECOMMENDATION:

That Council 'Receive' the attached report.

IS128	DRUMMOND COVE COASTAL EROSION
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AGENDA REFERENCE:	D-16-37845
AUTHOR:	M DuFour, A/Manager Engineering Services
EXECUTIVE:	R McKim, Director Infrastructure Services
DATE OF REPORT:	13 June 2016
FILE REFERENCE:	EM/9/0008
ATTACHMENTS:	Yes (x1) A. Whitehill Road Community Workshop Report

EXECUTIVE SUMMARY:

This report seeks to provide Council with an update on the Drummond Cove erosion issue currently impacting Whitehill road and adjacent areas.

EXECUTIVE RECOMMENDATION:

That Council by Absolute Majority pursuant to Section 6.8 of the Local Government Act RESOLVES to:

1. ENDORSE the attached report resulting from the Whitehill Road Community Workshop held on Wednesday 18 May 2016;
2. APPROVE the expenditure of \$50,000 in emergency funds to facilitate immediate sand nourishment works in the vicinity of Whitehill Road; and
3. ENDORSE further investigation into options to protect the area in the medium term, as a matter of priority with a subsequent report to be presented to Council.

PROPONENT:

The City of Greater Geraldton.

BACKGROUND:

On-going coastal erosion at Drummond Cove resulted in the closure of Whitehill Road on 25 April 2016 for safety reasons. A community meeting was organised to discuss the closure, to inform the local community of the CHRMAP (Coastal hazard risk management and adaptation planning) process, and to seek community input into the possible responses. This meeting followed the CEO attendance at an earlier Drummond Cove Progress Association.

In preparation for the meeting, a preliminary report was requested from M.P. Rogers (Coastal Consultants) on available options and their costs. The City also sought advice from the Department of Planning regarding Whitehill Road and engaging with community in relation to the State Coastal Planning Policy No. 2.6 or SPP 2.6. The Department of Planning advised the City that undertaking permanent protection works along Whitehill Road at this time could pre-empt the outcomes of Geraldton wide coastal adaptation planning project which is taking a holistic approach by considering the entire urbanised coastline rather than isolated areas. Any engagement regarding the Whitehill Road

would be regarding temporary adaptation options only. The community was made aware of the proposed meeting through an extensive local area letter box drop and through advice via social media.

The resulting community workshop was held on Wednesday 18 May 2016 at the John Batten Hall. The City received 66 RSVPs for the workshop of which eight people did not attend however, an additional 15 community members came and participated in the workshop on the evening. The meeting was also attended by two State Members, six City Councillors and a representative from NACC. The workshop was externally facilitated by Barbara Pedersen from the Consultancy Evaluate Environmental Pty Ltd with presentations made by City of Greater Geraldton Acting Manager of Engineering Services Michael Du Four. The resulting report on the meeting is attached to this report.

Since the community meeting was held on 18 May 2016, the region has experience several winter storms which have rapidly accelerated the extent of coastal erosion along the City's entire coastline. With respect to Drummond Cove, these storm events have resulted in the complete loss of Whitehill Road between the John Batten Hall and Drummond Cove Road. An inspection with City Councillors and the Executive on Sunday 12 June 2016 revealed that further community assets are now at risk if further winter storms impact the area. The assets now at risk include a high voltage electrical cable, a telecommunications cable, sewerage infrastructure, trees, a stormwater retention basin and open space. Due to the declining slope of the land, if the coastal erosion extends beyond the tree line, there is a significant risk to residential housing.

Because of this increasing risk, the Chief Executive Officer has instructed officers to investigate medium term solutions to the coastal erosion problem in this vicinity ahead of the CHRMAP process. (Medium term is considered to be five to ten years). To develop a long term permanent solution, ocean based data capture and ocean current computer modelling would be required. This is a lengthy process that current time frames do not provide for. Alternatively, the Council may decide to undertake on-going sand nourishment to slow the erosion rather than undertake more permanent works.

Medium term coastal protection work options include:

- Revetment Rock protection works similar to the works previously undertaken at Grey's Beach.
- Revetment Sand Bag protection works.
- Use of proprietary revetment products such as 150mm high concrete blocks secured to a fabric base that can be rolled out across the beach face.

ECONOMIC, SOCIAL, ENVIRONMENTAL & CULTURAL ISSUES:

Economic:

The City and local community have suffered an economic loss through the destruction of Whitehill Road through coastal erosion processes. Further

economic loss through destruction of additional community assets will occur if coastal protection works are not undertaken.

Social:

The aim of the Whitehill Road Community Workshop was to capture and communicate to the Council the local Drummond Cove Community's position on the current coastal erosion impacting Drummond Cove and the value they place on having a local beach and Whitehill Road.

Environmental:

All works will be undertaken in an environmentally sensitive manner and in accordance with the Environmental Protection Agency requirements.

Cultural & Heritage:

There are no cultural or heritage issues.

RELEVANT PRECEDENTS:

The City has previously undertaken coastal protection works at Grey's Beach. The City is currently seeking State Government funding to undertake coastal protection works on the Beresford Foreshore. The city has undertaken a number of community consultation workshops with respect to issues of high importance to the community.

COMMUNITY/COUNCILLOR CONSULTATION:

This report details the consultation that has been undertaken with respect to the erosion on the Drummond Cove Foreshore and its impact on Whitehill Road. Councillors were also invited to attend an on-site inspection of the erosion issues the City is facing along the length of its coastline on Sunday 12 June 2016.

LEGISLATIVE/POLICY IMPLICATIONS:

The project is consistent with State Coastal Planning Policy 2.6 which advocates protection where there is a defined need to preserve the foreshore reserve, public access and public safety, property and infrastructure that is not expendable.

FINANCIAL AND RESOURCE IMPLICATIONS:

The City has currently allocated \$150,000 in emergency funds for the sand nourishment works, the investigation into a medium term solution and the purchase of long lead time materials. No further funds are currently provided for this project. However, conversations are occurring with Water Corp and Western Power to ascertain if they will assist in funding medium term coastal protection works. The subsequent report will provide the Council with estimates to undertake the medium term works, what contributions the State Agencies are prepared to contribute and what projects can be deferred in the 2016/17 capital works program should the Council proceed.

INTEGRATED PLANNING LINKS:

Title: Environment	A sustainable built form and natural environment
Strategy 2.1.5	Preserving and managing the coastal environment in three distinct types based on high, moderate and low degrees of human interaction.
Strategy 3.1.2	Encouraging informal recreation through well planned and developed public open spaces, cycle/walk paths and green streetscapes

REGIONAL OUTCOMES:

In considering this matter, the Council should consider that it has a number of coastal erosion issues along its coastline that need to be addressed and the current CHRMAP project.

RISK MANAGEMENT

Undertaking Community consultation projects minimises the risk of the City taking actions that are not in keeping with the expectations of the community.

The proposed emergent sand nourishment works and medium term works will mitigate the risk of further significant erosion occurring in this location protecting community infrastructure such as high voltage electrical cables, telecommunications cable, sewerage infrastructure, trees, stormwater retention basin and open space. Ultimately the proposed works will also mitigate the risk of residential housing being threatened by further coastal erosion.

ALTERNATIVE OPTIONS CONSIDERED BY CITY OFFICERS

The body of this report details various options for the proposed medium term works. The Council could decide that the community and private infrastructure in this location is not essential and 'Do Nothing'. The City could also decide to undertake short term emergent works only to slow the current erosion whilst it completes the CHRMAP process and determines its long term position.

Cr Raymond Foreshadowed an amendment to the motion to change point 2 from 'sand nourishment' to 'rock protection', should the motion be lost.

COUNCIL DECISION**MOVED CR DOUGLAS, SECONDED CR FREER**

That Council by Absolute Majority pursuant to Section 6.8 of the Local Government Act **RESOLVES** to:

1. **RECEIVE** the attached report resulting from the Whitehill Road Community Workshop held on Wednesday 18 May 2016;
2. **APPROVE** the expenditure of \$50,000 in emergency funds to facilitate immediate sand nourishment works in the vicinity of Whitehill Road; and
3. **ENDORSE** further investigation into options to protect the area in the medium term, as a matter of priority with a subsequent report to be presented to Council

CARRIED 11/3

6:28:01 PM

Mayor Van Styn	YES
Cr. Douglas	YES
Cr. Bylund	NO
Cr. Ellis	YES
Cr. Keemink	N/V
Cr. Hall	YES
Cr. Critch	YES
Cr. Graham	NO
Cr. Tanti	YES
Cr. Reymond	NO
Cr. McIlwaine	YES
Cr. Freer	YES
Cr. Colliver	YES
Cr. Caudwell	YES
Cr. Thomas	YES

REASON FOR VARIATION TO THE EXECUTIVE RECOMMENDATION:

That Council 'Receive' the attached report.

14 REPORTS OF OFFICE OF THE CEO
Nil.

15 REPORTS TO BE RECEIVED**REPORTS TO BE RECEIVED**

AGENDA REFERENCE:	D-16-37817
AUTHOR:	K Diehm, Chief Executive Officer
EXECUTIVE:	K Diehm, Chief Executive Officer
DATE OF REPORT:	13 June 2016
FILE REFERENCE:	GO/6/0012-04
APPLICANT / PROPONENT:	City of Greater Geraldton
ATTACHMENTS:	Yes (x2)
	A. Delegated Determinations and Subdivision Applications
	B. Confidential List of Accounts Paid Under Delegation – May 2016

EXECUTIVE SUMMARY:

To receive the Reports of the City of Greater Geraldton.

EXECUTIVE RECOMMENDATION:**PART A**

That Council by Simple Majority pursuant to Section 5.22 of the Local Government Act 1995 RESOLVES to

1. RECEIVE the following appended reports:
 - a. Reports – Development & Community Services:
 - i. DCSDD111 Delegated Determinations and Subdivision Applications

PART B

That Council by Simple Majority, pursuant to Sections 5.13 and 34 of the Local Government (Financial Management) Regulations 1996 RESOLVES to:

1. RECEIVE the following appended reports:
 - a. Reports – Corporate and Commercial Services:
 - i. CCS191 Confidential List of Accounts Paid Under Delegation – May 2016

PROPONENT:

The proponent is the City of Greater Geraldton

BACKGROUND:

Information and items for noting or receiving (i.e. periodic reports, minutes of other meetings) are to be included in an appendix attached to the Council agenda.

Any reports received under this Agenda are considered received only. Any recommendations or proposals contained within the “Reports (including Minutes) to be Received” are not approved or endorsed by Council in any way. Any outcomes or recommendations requiring Council approval must be

presented separately to Council as a Report for consideration at an Ordinary Meeting of Council.

COMMUNITY/COUNCILLOR CONSULTATION:

Not applicable.

LEGISLATIVE/POLICY IMPLICATIONS:

Not applicable.

COUNCIL DECISION

MOVED CR THOMAS, SECONDED CR FREER

PART A

That Council by Simple Majority pursuant to Section 5.22 of the Local Government Act 1995 RESOLVES to

1. **RECEIVE** the following appended reports:
 - a. **Reports – Development & Community Services:**
 - i. **DCSDD111 Delegated Determinations and Subdivision Applications**

PART B

That Council by Simple Majority, pursuant to Sections 5.13 and 34 of the Local Government (Financial Management) Regulations 1996 RESOLVES to:

1. **RECEIVE** the following appended reports:
 - a. **Reports – Corporate and Commercial Services:**
 - i. **CCS191 Confidential List of Accounts Paid Under Delegation – May 2016**

CARRIED 14/0

In accordance with Section 9.3 (2) of the City of Greater Geraldton's Meeting Procedures Local Law, February 2012 the motion was passed unopposed.

16 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

17 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

18 URGENT BUSINESS APPROVED BY PRESIDING MEMBER OR BY DECISION OF THE MEETING

Nil.

19 CLOSURE

The presiding member declared the meeting closed at 6.30pm.

APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED

Attachments and Reports to be Received are available on the City of Greater Geraldton website at: <http://www.cgg.wa.gov.au/council-meetings/>